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ABSTRACT

The major goal of this book is to improve the public's understanding of the legislative branch of the state government in Connecticut. It is divided into seven sections: (1) the political tradition and environment of the state legislature; (2) the state legislature as a nonpartisan institution; (3) the substance of the legislature; (4) the politics of the legislature; (5) the procedures of the legislature; (6) the critics of the legislature; and (7) conclusions. Section 1 examines constitutional principles and the internal and external forces of power. Section 2 looks at the modernization of the general assembly and gives an overview of the state's general fund budget. Section 3 examines state funding, provides guidelines for initiating legislation and understanding its scope, and investigates the legislature's economic responsibilities and priorities. The fourth section outlines the art of compromise and the minority party's role of proposing alternative programs and criticizing the majority in order to hold the administration accountable to the citizenry. Section 5 discusses the need for legislative review and proposes an alternative model for legislative procedure. Citizen participation, press opinion, and the general assembly's failure to help its capitol city are studied in section 6. The last section discusses the areas of agreement and disagreement among the contributing authors. (Author/JK)

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PERSPECTIVES OF A STATE LEGISLATURE

The Connecticut General Assembly

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SO 010 625

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Dedicated to the many legislators, staff members, reporters, public advocates, volunteers, and student interns who work under the Gold Dome at the state Capitol. Also the authors wish to express their appreciation to their wives and children, who were forced to endure the pressure of politics and the frustrations generated by the creative process.

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PREFACE

The authors of this book have a single goal. It is to improve the public's understanding of one branch of our state government, the legislative branch. What makes this book different from other books written to explain Connecticut's state government is that the authors of this book have very different perspectives of the General Assembly.

Some of the authors view the state legislature as architects who appreciate the beauty of structure designed to accommodate particular human functions within. Other authors are more interested in what comes out of the structure in the way of legislation to meet the needs of people who see the Gold Dome only from a great distance.

The bills that come out of the state legislature are unique and differ greatly from the acts of the United States Congress or the ordinances of local councils. Thus some authors concentrate their attention upon that which creates the product, politics. But legislative politics does not exist in a vacuum. Just as there is a physical environment, there is a procedural environment controlled by the state constitution, state statutes, rules adopted by the General Assembly, regulations of the Democratic and Republican parties, and the many informal agreements made between members of the legislative leadership. Therefore, some authors make legislative procedure the center of their attention.

And finally there are the legislative critics. They study the substance of legislation, the politics that initiates particular bills, and the procedures that control the politics. The critics make judgments as to how successful the Connecticut General Assembly is as a branch of government. They also offer recommendations as to how our state legislature should be improved.

The authors have only one common characteristic. Each is an expert and a professional who has devoted a large portion of his life to the study of Connecticut's General Assembly.

THOSE WHO MADE THIS BOOK POSSIBLE

Just as this is a unique book, those who contributed to its creation are unique individuals. Aside from the authors, who speak for themselves in their particular chapters, special recognition and appreciation should be given to the following persons: Dean Edwin P. Nye, Dean of the Faculty at Trinity College, has provided continuing support to the Trinity College Legislative Internship Program. Frank Donovan, Manager, Connecticut Public Affairs for the General Electric Company in Fairfield, Connecticut, provided the funds that launched the project. Glenda Reed and Ethan Loney in the Department of Corporate Social Responsibility at the Aetna Life and Casualty Insurance Company in Hartford arranged for the printing of the book by Aetna. Dr. Arthur Soderlind, Consultant Social Studies — Independent Schools Approval in the Connecticut Department of Education, organized a panel of social studies teachers, who reviewed the proposal for the book and evaluated some of the initial chapters. Dr. Soderlind also prepared the distribution formula for the book to be given to each of Connecticut's high schools.

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The use of political cartoons is a feature that resulted from the teachers' review panel. Special appreciation goes to Irving Kravsow and Henry McNulty of the **Hartford Courant**. Political cartoonists Philip Uzanas, Philip Lohman, and Peter Waite graciously permitted the use of the cartoons, which were published by the **Hartford Courant**.

L. A. Morrow, a friend and professional editor, reviewed the manuscript for technical errors. The Aetna Life & Casualty, through its Corporate Social Responsibility and Printing Services Departments, supplied the printing. Attorney Thomas Lips served as legal advisor to the editor.

On behalf of the authors, I want to give special recognition to Janet Willard, who saw the project from start to finish and typed and retyped all the chapters.

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SECTION 1

THE POLITICAL TRADITION & ENVIRONMENT OF OUR STATE LEGISLATURE

CHAPTER 1

Constitutional Principles and the Quest for Power

by
Clyde D. McKee, Jr.

Dr. Clyde D. McKee, Jr. is an associate professor of political science at Trinity College, Hartford, Connecticut. A graduate of Wesleyan University and The University of Connecticut, he has been an observer of Connecticut's state and local governments for twenty years and has written numerous articles for the **National Civic Review**. His doctoral dissertation, which was based on comparative study of six Connecticut communities, won the Leonard D. White Award of the American Political Science Association. For the past ten years he has served as director of the Trinity College Legislative Internship Program.

Constitutional Principles and the Quest For Power

Few citizens of Connecticut will object to the assertion that a good government is one which is based on separation of powers and checks and balances. It therefore may come as a surprise to learn that although these principles are well established for our national government, they are not necessarily good principles for either our state or local governments. Quite the contrary. These principles were not the ones which were used to establish our state government. Also, there is no requirement in the United States Constitution that they must apply to subnational jurisdictions. And for many years Connecticut has used a variety of other methods to control its public officials. Only recently has it adopted federal guidelines in both law and practice. In short, it has taken Connecticut more than 300 years of experimentation and evolution to reach the "Madisonian formula" stage, and there is still a serious question whether this "formula" is appropriate for our state and local governments.

In essay Number 47 of the **Federalist Papers**, James Madison wrote, "No political truth is certainly of greater intrinsic value, or is stamped with the authority of more enlightened patrons of liberty, than that . . . the accumulation of all powers, legislative, executive, and judiciary, in the same hands . . . may justly be pronounced the very definition of tyranny."[1] But this doctrine of separation of powers, which is one of the two main elements of the Madisonian formula, was a departure from the fusion of power concept used by Connecticut's founding father in The Fundamental Orders.[2]

Let us briefly examine the structure of our first state government and deduce the political principles upon which it is based. First, although there were one governor, six magistrates, a secretary, and a minimum of 12 deputy representatives elected by the various towns, all of these state officers constituted a single General Assembly or court. There was no real separation of powers.[3] The only separation of political function is found in the two required sessions each year, one in April devoted to elections, and one in September devoted to lawmaking. Furthermore, in the event these state officials neglected their duties, local electors were authorized by The Fundamental Orders to exercise the powers of petition or initiative. And if the state officials still failed to respond, local citizens under the direction of the town moderator could take authority into their own hands for running the state.[4] Another early principle was the provision for equal representation in the General Assembly on the basis of individual towns rather than size of population. However, a careful reading of The Fundamental Orders reveals the principle of proportional representation, which was to be used as new communities were created. This was perhaps the first known step towards the "one person, one vote" standard which the United States Supreme Court began to define in 1962.[5]

Fearful of concentrated power, the framers of the national constitution

followed the advice of James Madison, who advised that "ambition must be made to counteract ambition." They added a system of checks and balances to supplement separation of powers. They wanted the president, the members of Congress, and the justices of the Supreme Court to have political as well as legal independence. They achieved this objective by making these national officials responsive to different constituencies: the president to a group of elite electors, the senators to state legislators, and representatives to local constituencies. Fearful of majority rule, they also used varied lengths of terms and staggered elections to make it difficult for any one group to take control of the government at one time. But it appears that the founders of Connecticut's first constitution had greater confidence in their public officials.

We find very few checks and balances in The Fundamental Orders. What we do find, however, is a requirement that the office of governor and magistrate be rotated each year. This may mean either a fear that the holders of these offices might become too powerful, or be an expression of confidence that many citizens were qualified to exercise authority at the state level. Although the principle of rotation is found in the Twenty-second Amendment of the United States Constitution, preventing a president from serving more than two terms, it is not used in the present Connecticut State Constitution.

Following the ratification of the United States Constitution in 1789, Connecticut copied the structure of the separation of powers doctrine of the federal government without recognizing the need for the three branches of government to have equal power. The concern of the state citizens was not that of keeping the powers of the governor and state legislature equal and balanced but one of keeping legislators away from power. This was done two ways. First, the legislators were restricted in the frequency and duration of their meetings. Second, they were denied the personal and institutional resources needed to be effective in fulfilling all their legislative responsibilities.[6]

The state constitution of 1818 established a separate General Assembly patterned after the United States Congress. There was provision for annual sessions. But following the exposure of graft and corruption in the state legislative bodies throughout the United States in the post Civil War period, state citizens in 1884 amended their constitution to restrict their legislators from meeting more than one session during each odd-numbered year. In 1912, a further restriction was added when the constitution was again amended forcing the legislators to adjourn by a specified day in June.

State legislators were not thought of as congressmen. Unlike their counterparts at the national level, they were not expected to work full-time on state business, they were not paid attractive salaries, and they were not given research facilities, personal staff, or, in recent years, phones to communicate with constituents. There is no question that these restric-

tions undercut the residual power granted to the state governments by the Tenth Amendment of the United States Constitution, the cornerstone of the American federal system. Therefore, the modern history of the Connecticut General Assembly may be understood in terms of its effort to restore the public's confidence, to check and balance the power of the governor, to expand its legal and financial resources, and to demonstrate its ability to respond to the needs of constituents, particularly those living in central cities.

Responding to Internal and External Forces

During the past two decades Connecticut's state legislature has been shaped by strong internal and external forces. These forces can best be seen and understood by the changes which they brought about. The most significant of these forces was the birth and growth of a strong two-party system of government.[7] No other force has had a greater impact on the distribution of political power, the reform of major institutions, the success and failure of personal political ambitions, and the quality of life which each citizen experiences. However, this chapter will show that Connecticut's two-party system was the result more of accident than design.

To what extent is Connecticut a competitive, two-party state? To answer this question it may be helpful to take a brief look at this state's partisan history, which can be divided into three periods.[8] The first period began in the late 1800's and continued until 1930, when the Democrats elected Governor Wilbur L. Cross. During this period, Connecticut was clearly a Republican state. The second period, 1930–1956, is the most competitive. Measured by victories in gubernatorial elections, the Democrats won seven times while the Republicans scored five victories. The third period began in 1958 and continued to the present. This period reveals the rise to power of the Democratic party. In 1960, the Democrats became the majority party when they surpassed the Republicans in party registrations. With a registration margin of 200,000 voters, Connecticut is generally regarded as a Democratic state.[9] However, Republican candidates believe that if there is a split in the Democratic party, a scandal, or a decline in the popularity of President Carter, they will have enough support from Connecticut's 615,000 unaffiliated voters to win the governor's office and perhaps both houses of the General Assembly.

The Legislature's Willingness to Experiment

During the past two decades Connecticut has demonstrated its ability and willingness to experiment with a number of major institutional reforms. These reforms have had a significant impact upon the political systems of both the local and state governments. Within a relatively short period of time, this state introduced a new type of state primary law that soon became a model for all the other states. It passed a legislative home

rule act, which initiated changes in the structures of three-fourths of the state's towns and cities. A constitutional convention was held and in 1965 a completely new state constitution was produced for acceptance by the voters in a referendum. Both houses of the state legislature were reapportioned in a way that significantly reduced the size of the lower house. Encouraged by authority found in the new constitution, legislative leaders challenged their governor and restructured the resources and procedures of the General Assembly to enable it to function as an independent branch. More recently, in 1976, the state Democratic party ran a presidential primary with proportional representation, using party rules which were completely outside the framework and sanctions of the state election laws. And in 1977, the state Democratic party chairman experimented with a model created by the Republican party four years earlier. In this model the party chairman held office as both head of his party and majority leader of the state House of Representatives. Because this arrangement eliminated the traditional distinction between the party leader and the elected legislator, these changes greatly affected the locus and focus of political power within the state legislature.

Connecticut's present political system has been greatly influenced by individuals with strong personalities and personal ambitions. A half-century ago political power was centralized, personal, but outside the General Assembly. State Republican Party Chairman J. Henry Roraback, who held control of his party between 1912 and 1937, was a political institution himself. He was president of six utility companies, director of four insurance companies, and director of at least one bank. Backed by the financial resources of big business, he developed a tight political organization, used malapportionment to cultivate loyal rural support, and created conservative governmental policy which he dictated to both the governor and the leaders of the state legislature.

Democratic Chairman John M. Bailey, whose death seriously handicapped Governor Grasso, used a very different political base for his rise to power. He focused his attention upon the city of Hartford and soon took control of this core city's party organization. He served his party full-time, without financial compensation, used his Hartford law office as his base of operations, and stored his facts in his memory rather than in a computer. Unlike Roraback, the basis of Bailey's power was his comprehensive knowledge of the procedures of the General Assembly, where he had worked for many years as a legislative commissioner, his ability to design effective party strategy, his lack of strong political ideology, and his talent for persuasion. He demonstrated his strategic abilities on a grand scale when he helped design the campaign strategy of President John Kennedy, who rewarded him in 1961 with the appointment of National Democratic Party Chairman.

Under Bailey's leadership the Democratic party became truly competitive. It was competition between the parties in 1954 that created public interest in a primary election procedure. Both parties included the primary

as a plank in their platforms. After successful operation for eight years, Connecticut's challenge primary was endorsed by Richard S. Childs, the father of council-manager government. It is ironic that Childs, who was a foe of political parties, recommended Connecticut's model to the other states.[10] Yet contrary to the predictions of many party officials, adoption of the primary did not have a great influence on the decentralization of power.

Such was not the case with the Home Rule Act of 1957. Connecticut had experimented with variations of home rule provisions as early as 1915, but few communities were inspired to take advantage of them. Eight years after passage of the 1957 legislative home rule act, at least 125 local charter commissions had been created, 24 new charters had been adopted, and 28 other charters had been revised.[11] Passage of this legislation was a tremendous step towards the recreation of effective political systems at the local level under new structures and procedures. Many of Connecticut's towns and cities have abandoned the traditional board of selectmen-town meeting form of government and adopted council-manager government. Scrapping the Madisonian formula, the city councils in these towns have employed highly qualified professional managers, who play major roles in both initiating and executing public policy. In short, when the legislature passed the Connecticut home rule act, it indirectly created a whole new breed of manager-politicians at the local level.

Adoption of new charters and the appointment of new managers by communities throughout the state focused attention on the condition and quality of the state's eight county governments. In general, this middle layer of government was inefficient, ineffective, and controlled by politicians who were unresponsive to the needs and interests of the citizens they served.[12] In 1666, Connecticut was the second state to establish county government, and in 1960 it was the first state to abolish this form. When all county property was taken over by the state, all county functions distributed among state agencies, and all county employees transferred to the state merit system, political and administrative power was centralized. But it is important to realize that this major reform, which eliminated many isolated patronage positions, was a direct result of interparty competition. When the Democrats took control of both the office of governor and both houses of the General Assembly in 1959, they kept their campaign pledge to abolish county government. The substitution of a modern circuit court system for the unjust, often corrupt local justice of the peace courts is another reform instituted by the Democrats in 1960 which centralized power at the state level. Although these are excellent examples of the benefits of a competitive two-party system, this system existed outside the framework of the state constitution and was based on a malapportioned General Assembly.

Unlike legislative home rule, the abolition of county government, and the reform of the court system, which were actions initiated internally by leaders of both political parties, reapportionment was imposed upon

Connecticut from the outside by the federal courts. Until 1965, Connecticut had a well established tradition of representation in the state legislature by local jurisdictions. This meant that each town or city, without regard to its size of population, was entitled to a representative in the General Assembly. Before reapportionment, 12 percent of the voting population could elect a majority of members to the House and 33 percent could control those sent to the Senate.[13] Because malapportionment favored the Republicans in the House and the Democrats in the Senate, the state legislature was usually divided between the two major parties. This arrangement put great power into the hands of the two party chairmen, who met formally, negotiated, bargained, and reached agreement on matters including appointment of judges, contracts, funds for staff in the General Assembly, as well as important legislation pending in the legislature. The last great act of the partisan chiefs occurred in 1964 when Democratic Chairman John Bailey met with Republican Chairman Searle Pinney and after long hours behind closed doors reached agreement on a reapportioned 36 member Senate and a 177 member House. Because a reapportioned legislature created greater opportunity for either of the major parties to win control of the governor's office and both houses of the legislature, the power of the party chairmen was reduced, the power of the governor increased, and the stage prepared for legislative leaders to challenge the governor's authority to initiate and mandate policy. These leaders were a young, daring breed of politicians who used their primary functions as representatives, lawmakers, and critics of the executive branch to increase their personal political power.

Three Models For Controlling Power

Contrary to the principles of the Madisonian formula, Connecticut's state government was until recently executive dominated. In the first model, state legislators met every two years, were paid meager salaries, had no personal staff, and used no individual office facilities. Also, they were forced by the state constitution to adjourn by a specified date in June. Major policy recommendations came from the governor and were ratified by the General Assembly. Strong party discipline existed because there were few checks and balances between the executive and legislative branches. The members of these branches were dependent upon the same constituencies. Equally important, the governor, with the assistance of the party chairman, used patronage within the executive branch and special contracts for particular towns and cities to keep legislators in line.[14]

When Governor Meskill came into office in 1970, and helped his party take control of both houses of the legislature two years later, he created a new party elite model. Within this second model, he worked closely with the legislative leaders of his party and his party chairman, who, for the first time, was also a legislator. This Republican elite met behind closed doors and agreed upon the basic policy decisions that were imposed upon the state legislature. Members of this small group had the

goal of using the General Assembly to establish a party reputation for efficiency and to develop a Republican record of fiscal responsibility. Governor Meskill remembered the embarrassment, confusion, and frustration that occurred in 1971 when Connecticut was the first state to adopt a state income tax and rescind this action one month later.[15] Because he did not want a similar event to arise and did not want to suffer the fate of his predecessor, the newly created resources of the legislature were used as instruments of partisan control.[16]

When Democratic Governor Ella Grasso was elected in 1974, she brought to the executive branch extensive knowledge and experience. She had served as a state representative, member of the constitutional convention, secretary of the state, and congresswoman. But she was not prepared for the third model within which she was forced to work. She found herself confronted by legislative leaders in both parties who were knowledgeable, experienced, and politically ambitious. She found ambition ready to counteract ambition. She suffered the embarrassment of calling a special session of the legislature and having her own party's legislative leaders deny her support on recommended legislation.[17] Thus Connecticut's political system has evolved into a model in which there are two equal branches of government. However, it is too early to conclude whether this new model is inherently better than earlier models.

Challenges From Outside The Legislature

The authority of the leadership in the General Assembly and in the majority party has been challenged from a new source of power. This challenge is not coming from the minority party in the legislature but from a Hartford city councilman who developed a radical internal strategy to force the governor and General Assembly to respond more substantially to the needs and concerns of Hartford and other urban areas. This strategy is worth studying in detail.[18] Needless to say, this ideological split between the state and urban factions within the Democratic party has caused widespread interest and alarm throughout Connecticut's political system. Although it is too early to know the full success of this urban strategy, it did result in significant increases in the state's contribution to the benefits of those on welfare. Also, the urban Democrats proved that with the cooperation of Republican legislators they could successfully block the governor's budget in the appropriations committee, thereby forcing major concessions.

An equally serious challenge to the power of the legislative leaders in both parties came from an organization called the Connecticut Citizen Action Group (CCAG). CCAG was founded in 1971 by supporters of Ralph Nader. Six years later it was a statewide organization of 4,000 members with two area headquarters, staffed by 50 persons. It had 12 registered lobbyists who drafted legislation, monitored the activities of legislative committees, and worked with such other interest groups as the Civil Liberties Union, Common Cause, and the League of Women Voters to

pass consumer-oriented legislation and to press for procedural reforms. CCAG serves as an ombudsman for citizen complaints for which the legislature can supply no satisfaction. CCAG demonstrated its power by cooperating with the efforts of many other consumer-oriented groups in aiding the passage of a "bottle bill" introduced by a Republican legislator. In 1977, CCAG and the city of Hartford cooperated in a successful legal battle to force the Northeast Utilities to give customer refunds totaling $27 million. But even more important for the leaders of the state legislature is CCAG's plan to create local chapters in all the state's urban areas. These chapters might sponsor candidates for election to the state legislature and challenge incumbent legislators running under party labels.

How to study the General Assembly

First, the student of state government must analyze the Connecticut Constitution to see how it provides for the structure of the state legislature. He should apply the theory of separation of powers and checks and balances to locate the centers of authority, but look for the exceptions to these doctrines. The next step is to learn the basic elements of Connecticut's political history and become familiar with the political environment within which the General Assembly functions. Moving inside the legislature, the student should view this branch first as a nonpartisan political institution. It will take very little effort to get caught up in the bills before the legislature and to become absorbed in the issues surrounding such proposals as reorganization of the executive branch, financial equalization of schools, and increased aid to our major cities. But here the positions of the political parties begin to come into play, and ambitious legislators make their moves to win support for their nomination to higher political office. Since legislative procedures play such an important role in determining which bills pass and which fail in committee, how a bill becomes a law is important. Both formal and informal procedures are significant. And finally, careful attention must be given to the critics of the legislature, those who feel the General Assembly is not being responsive to human needs, others who are demanding particular reforms, and still others who keep legislators and their party leaders responsible by reporting their activities in the press.

In 1971, the Citizens Conference on State Legislatures analyzed and evaluated the state legislatures in each of the 50 states.[19] Based on factors grouped in five major categories (functional, accountable, informed, independent, and representative), Connecticut had an overall rating of 24 out of 50. The chapters which follow will show some of the steps this state has taken to improve this national standing. They will also show how Connecticut's political system continues to evolve as it adjusts to new demands from both inside and outside the General Assembly.

FOOTNOTES

[1] See **Federalist Papers**. Also, see James MacGregor Burns, J. W. Peltason, and Thomas E. Cronin, **Government By The People**, 9th ed. (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1975) pp. 52–56.

[2] **The Fundamental Orders, 1638-9** are generally regarded as the first constitution of Connecticut. According to the historian John Fiske, this document was "the first written constitution known in history that created a government and it marked the beginning of American democracy." **Connecticut State Register and Manual**, State of Connecticut, 1972, pp. 47–50.

[3] There is a closer parallel between the government created by The Fundamental Orders and a local council-manager form than there is between Connecticut's first state government and the national government created by the Founding Fathers.

[4] some local charters provide for the power of petition, initiative and referendum. However, except when approving an amendment to the state constitution, citizens do not have these powers at the state level. In January 1977, Connecticut's secretary of the state proposed a constitutional amendment to establish the powers of initiative and referendum. Unlike some state and local governments, Connecticut has no provision for petition for recall of state officials.

[5] See U.S. Supreme Court cases **Baker v. Carr** (1962), **Reynolds v. Sims** (1964), and **Westberry v. Sanders** (1964).

[6] See Connecticut Constitution, Article Third, Sec. 2, which requires the General Assembly to begin meeting in January and adjourn in June. In 1977, legislative salaries were $13,000 for a two year term plus mileage expenses to and from the capitol.

[7] Political party is defined as "an organized attempt to get control of the government" and as "process that has grown up about elections." See E. E. Schattschneider, **Party Government** (N.Y.: Holt, Rinehart, and Winston, 1942), pp. ix, x.

[8] See Duane Lockard, **New England State Politics** (Chicago: Henry Regnery Company, 1959).

[9] Office of the secretary of the state, **Summary of Registration of Party Enrollment**, October 28, 1976. Totals: 625,419 Democrats; 428,214 Republicans; 614,973 unaffiliated voters.

[10] Richard S. Childs, **Seven Years of Connecticut's Challenge Primary, 1963** (N.Y.: National Municipal League, 1963), pp. 2–3.

[11] Neil O. Littlefield and James R. Brown, **Home Rule In Connecticut** (Storrs, CT.: Institute of Public Service, 1964), p. 7.

[12] The best description of this portion of Connecticut's history can be found in a book by Rosaline Levenson, **County Government In Connecticut Its History and Demise** (Storrs, CT.: Institute of Public Service, 1966).

[13] Robert B. Dishman and George Goodwin, Jr., **State Legislature In New England Politics** (Durham, N.H.: The New England Center For Continuing Education, 1969), p. 15.

[14] State statutes now prohibit a state legislator from serving concurrently in the executive branch.

[15] The news media deserve credit for this rescission, particularly the **New Haven Register** because it successfully intimidated the legislators who supported the income tax.

[16] During the 1969 session of the General Assembly, ambitious Democratic leaders in the House and Senate challenged the authority of Democratic Governor John Dempsey and encouraged him to retire from public office.

[17] The legislation in question concerned the increase in the work week for state employees.

[18] Infra, chapter four, "Hartford's Struggle to Acquire More Funds."

[19] The Citizens Conference on State Legislatures, **The Sometime Governments, A Critical Study of the 50 American Legislatures** (Kansas City, Mo.: The Citizens Conference on State Legislatures, 1971).

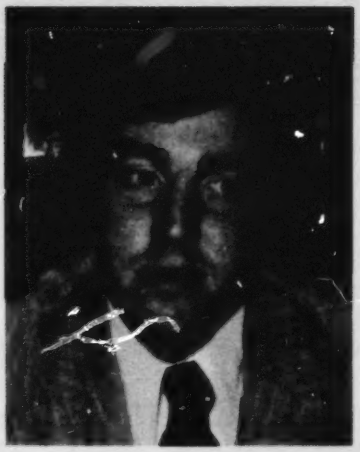
SECTION 2

THE STATE LEGISLATURE AS A NONPARTISAN INSTITUTION

CHAPTER 2

The Modernization of the General Assembly

by
David Ogle



David Ogle is Executive Director of the Joint Committee on Legislative Management of the Connecticut General Assembly. A former Eagleton Fellow at Rutgers University, he is one of our nation's experts on the organization and procedures of state legislatures. In addition to serving as the architect for the remodelling of the General Assembly, he has been a consultant to numerous other states. He is author of **Strengthening the Connecticut General Assembly** and **Strengthening the Mississippi Legislature.**

The Modernization of the General Assembly

In theory, the legislative branch of government is supposed to be the policymaking arm of our American governmental system. In reality, this is seldom so. While the governor is supposed to propose, and the legislature is supposed to dispose, the legislative branch is too often an ineffective policymaker that does little more than serve as a "rubber stamp" for proposals initiated by the executive branch of government. The Connecticut General Assembly has been no exception to this too-frequent historical situation. Only in the very recent past have dramatic changes begun to redress a long-standing imbalance between the state's legislative and executive branches.

Over the past four or five decades, the legislative/executive balance in Connecticut seems to have run a full one hundred and eighty degree tilt. Historians claim that through the late 1920's and into the early 1930's, the legislature was actually considered to be the dominant branch of government in Connecticut. Until 1931, the office of governor was a part-time job that involved only a day or two of work per week for the individual elected to fill the position. In 1931, Wilbur Cross, the retired dean of the Yale Graduate School, became governor. Being retired and having little else to do with his time, he decided to turn the post of governor into a full-time position that it has been ever since. Although few people probably realized it at the time, this decision by Wilbur Cross had the effect of dooming the mental picture for at least the next thirty-five years.

Why would a simple and seemingly logical decision to make the position of governor full time have such a drastic impact upon the role of the legislature in Connecticut's governmental system? There are no obvious or clear-cut answers to this question. Certainly, a tradition of strong loyalty to one's political party — a tradition common in the northeastern states — contributed to this situation. Loyalty to one's political party usually is taken to mean loyalty to the governor if the governor's party happens to be the same as that of the legislator. And with a full-time governor offering more and more detailed recommendations to the legislature after 1931, calls for such support and loyalty became more frequent. An inevitable result was a diminution of concern for an independent and equal legislative branch of government that would be capable of developing meaningful alternatives to gubernatorial initiatives.

The strange and unusual system of representation by which Connecticut's legislators were elected until the middle 1960's also contributed in a subtle way to the imbalance of governmental power that developed in Connecticut after 1931. This was because the system served to delude many people close to the legislature into believing during the 30's, 40's, 50's, and even into the 60's, that the General Assembly was still a powerful and coequal partner of the state government.

Until a series of United States Supreme Court decisions (beginning with the landmark **Baker v. Carr** decision in 1962) finally forced the state to

abandon its old system of legislation representation in 1966, every town in Connecticut with a population of more than 5,000 was permitted to elect two members to the State House of Representatives, and every town with a population of less than 5,000 was permitted to elect one. Furthermore, a provision in the State Constitution permitted any town that had already elected two state representatives to the House when the system was established in 1876 to keep them. Consequently, a situation existed in Connecticut whereby the town of Union, with a population of only 376 people, had the same representation as the cities of Hartford, New Haven, and Bridgeport. The system of representation was such that eleven percent of the people from the most rural parts of the state could conceivably elect a majority of the State House of Representatives.

The State Senate was also malapportioned. But in this case the malapportionment favored the urban areas. Here, thirty-two percent of the people from the most urban parts of the state could conceivably elect a majority of the so-called upper house.

The apportionment scheme usually resulted in a rural, Republican-dominated House, and an urban, Democratic-controlled Senate, with the governor's office fluctuating between the two parties. The split control of the General Assembly tended to create the impression in the eyes of many observers that the legislative branch of government was exerting considerable power over the state government when, in reality, what little power was being exercised was of a very negative sort. The General Assembly had the capability of rejecting proposals and initiatives by the executive branch, but if it chose to reject such initiatives, it was in no position to independently formulate meaningful alternatives to those proposals. It is the ability to unilaterally initiate proposals for change and improvement (rather than the ability to simply ratify or reject proposals offered by another source) that represents true power in the American governmental system. The legislative modernization movement which spread through the United States during the later 60's and early 70's was concerned with developing just such an ability within the legislative branches of the various state governments.

As a result of the above-mentioned Supreme Court decisions (which, taken together, required that all state legislators be apportioned on a "one man, one vote" basis) Connecticut was forced to completely overhaul its system of representation in the two houses of the General Assembly. A new system had to be devised whereby a majority of the population could elect a majority of the General Assembly.

In order to bring about these changes, the General Assembly chose to convene a state constitutional convention to rewrite, in particular, those sections of the state constitution which dealt with the organization and reapportionment procedures of the legislature.

The constitutional convention, which was held in the summer of 1965, agreed to set up a House of Representatives which could have as few as 125 or as many as 225 members, and a Senate which could have between

30 and 50 members. It also required the legislature to redraw district lines after each decennial census. The revised state constitution was approved by the voters in December, 1965. In 1966, the General Assembly approved a districting plan which provided for a 177 member House (a reduction from the previous 294) and a 36 member Senate (the same as previously). Under the new plan, each member of the House of Representatives would represent approximately 16,000 people, while each Senator would have a constituency of just under 80,000.

One of the most important outgrowths of Connecticut's revised system of legislative representation has been the consistent majorities and minorities elected to each house of the General Assembly. Instead of having split control (one party controlling the House, and the other the Senate) as was the case prior to 1965, the same party has controlled both houses in every legislative election held since the new system was first used in November, 1966. In the first six elections under the new system, the Democrats were victorious five times and the Republicans once. More significantly, after each of these elections the respective political parties have found themselves with almost the same percentage of representation in the House as in the Senate.

The 1965 constitutional convention continued the long-standing Connecticut tradition of having a concise and broad document as the basic charter of the state. Connecticut's constitution consists of approximately 7,400 words, making it, with the exception of Vermont, the shortest of the fifty state constitutions. It is reported that it was the consensus of the delegates to the 1965 convention that a state constitution should be a broad, general document that establishes the basic framework of government, while leaving wide latitude to legislators to operate within that framework, making such statutory changes and revisions as they see fit.

The latitude permitted the General Assembly by the state constitution has been very beneficial to Connecticut's legislative leaders in their efforts to modernize and strengthen the legislative branch of the state government. It has allowed them to take a number of actions that might otherwise have been impossible had more restrictions been written into the constitution. Legislator compensation, to cite one example, is one of the most important issues that must be addressed in the area of legislative reform. In Connecticut it is left to the General Assembly to determine the level of this compensation by statute. In states such as Rhode Island and New Hampshire, however, these salaries are specified in the state constitution and can be revised only through the cumbersome process of voter approval of an amendment to the constitution.

The 1966 election marks the beginning point of the movement toward legislative modernization in Connecticut. This was the first election after the reapportionment of the General Assembly. The result was a Democratic party sweep in both the Senate and House of Representatives. The election of legislators under the new district lines brought a younger, more urban-oriented legislator to Hartford. After one legislative session,

the newly elected legislators of both political parties realized that the General Assembly was totally ill-equipped to address the needs of the people of the state in an intelligent, independent and forthright manner. This realization proved to be the starting point in a lengthy journey, the goal of which was a redress of the imbalance of power that had developed between the legislative branches over the previous three and one-half decades.

Connecticut was not unique in its attempts at legislative modernization. Rather, the state was an early joiner of a nationwide movement that seems to have begun in California in the early and middle 1960's. The California Assembly, under its Speaker Jess Unruh, who served in that position from 1960 to 1966, became the first national model for state legislative reform. Connecticut was one of the first states to follow California's lead. In the late 60's, Connecticut's legislative leaders began a similar move toward restructuring the General Assembly, with the aim of making it more responsive to the needs of the 3,000,000 plus people that it is supposed to serve. After the 1967 legislative session, the legislative leaders of both political parties agreed to retain the Eagleton Institute of Politics at Rutgers University to make a comprehensive study of the operations, rules, and procedures of the General Assembly. The institute was asked to report back with recommendations for change and improvement.

The Eagleton Institute staff arrived in Hartford in March of 1968, and immediately began taking a long, hard look at the General Assembly. There were several obvious problems. The members of the legislature were elected for two-year terms, but they met in session for only the first five months of that term. This, in effect, make them "lame ducks" for the last nineteen months of their twenty-four month term. Further, they received a salary of only $2,000 for their two years of service. The General Assembly had no internal administrative structure; it was administered by the executive branch through the state comptroller. The individual holding that office controlled the General Assembly's budget and provided it with equipment and supplies. The legislature was little more than an appendage of the executive branch. It had virtually no professional staff. The staff that did exist was primarily part-time help appointed through the two political parties. The committee system was totally irrational, failing to reflect in any way the major functions of the executive branch. The legislature had a poor system of documentation, processing, and recording. It had barely begun to scratch the surface with computerization. All of these problem areas were addressed by the Institute in what came to be known as "The Eagleton Report." The report was submitted to Connecticut's legislative leaders on December 15, 1968. With the 1969 General Assembly scheduled to convene only three weeks later, the new legislative leaders immediately set out to implement a substantial number of the report's recommendations.

One Eagleton recommendation called for amendent of the state constitution to provide for annual sessions of the General Assembly. Ordinarily,

amendments to the Connecticut constitution must be passed by two separately elected legislatures before they can be submitted to the voters for their approval. But if a proposed amendment receives the support of three-quarters of the members of each house the first time it is considered, it does not have to be passed a second time and may be submitted to the voters at the next even-year election. Such was the case with Connecticut's annual sessions amendment that was approved by a nearly unanimous vote in each house of the 1969 General Assembly. When the amendment was subsequently submitted to the voters in November of 1970, it was approved by a margin of better than three to one.

Several other Eagleton recommendations were incorporated into a comprehensive bill that was passed late in the 1969 session. The primary purpose of this bill was to provide for the creation of a joint administration committee to be known as the Joint Committee on Legislative Management, which would be chaired by the top legislative official in each chamber — the President Pro Tempore of the Senate and the Speaker of the House. The bill granted the committee exclusive authority over all funds appropriated to the legislative branch of government and empowered it to create new professional offices of general research and fiscal analysis to serve both standing committees and individual legislators.

Most observers were caught by surprise when Democratic Governor John Dempsey vetoed the legislative management committee bill as a demonstration of his displeasure at the newly emerging independent legislative branch which had refused to approve his proposals for the raising of revenue. Fortunately for those who supported legislative modernization in Connecticut, the 1965 constitutional convention had added a new section to the state constitution which required that a special "veto session" be held after the conclusion of each regular or special session. The sole purpose of these sessions is to reconsider bills that have been vetoed by the governor and not reconsidered by the General Assembly prior to its adjournment. When the General Assembly met for its 1969 veto session, it overrode the legislative management bill veto by a unanimous vote in each chamber.

It is rare for a gubernatorial veto to be overridden in Connecticut, a state where loyalty to one's party has generally been deemed more important than loyalty to the branch of government in which one serves. By overriding this veto without a dissenting vote, Connecticut's legislature indicated in a firm and emphatic manner that it considered legislative modernization to be a bipartisan issue, and one in which it would not tolerate interference from the executive branch. This attitude was reemphasized in 1972 when the General Assembly overrode another veto, this one by Governor Thomas Meskill, of a bill creating a legislative Program Review Committee.[1] In 1974 the General Assembly again overrode a Meskill veto of a bill requiring that all bills voted upon in the Senate and House contain statements assessing their financial impact on the state. With these actions the General Assembly clearly indicated that it had

emancipated itelf from executive branch domination, and that it fully intended to make its own decisions regarding its internal operations.

The Post-1969 General Assembly

After the legislative management bill veto was overridden in July, 1969, the Joint Committee on Legislative Management was formally organized. The committee, which is responsible for overseeing, supervising, and coordinating all legislative activities throughout the year, originally consisted of twelve members but was increased to sixteen in 1973. The President Pro Tempore of the Senate and the Speaker of the House continue to serve as its cochairmen, and the remainder of its membership consists of the Majority and Minority Leader of each house and their top assistants. There are eight members from each house, five from the majority party and three from the minority.

The committee has an executive director who serves as chief administrative officer for the General Assembly, performing many of the same functions for the legislature that a commissioner would perform for an executive branch agency. The executive director functions in a manner similar to the president of a corporation, serving at the pleasure of the committee, which operates as a board of directors.

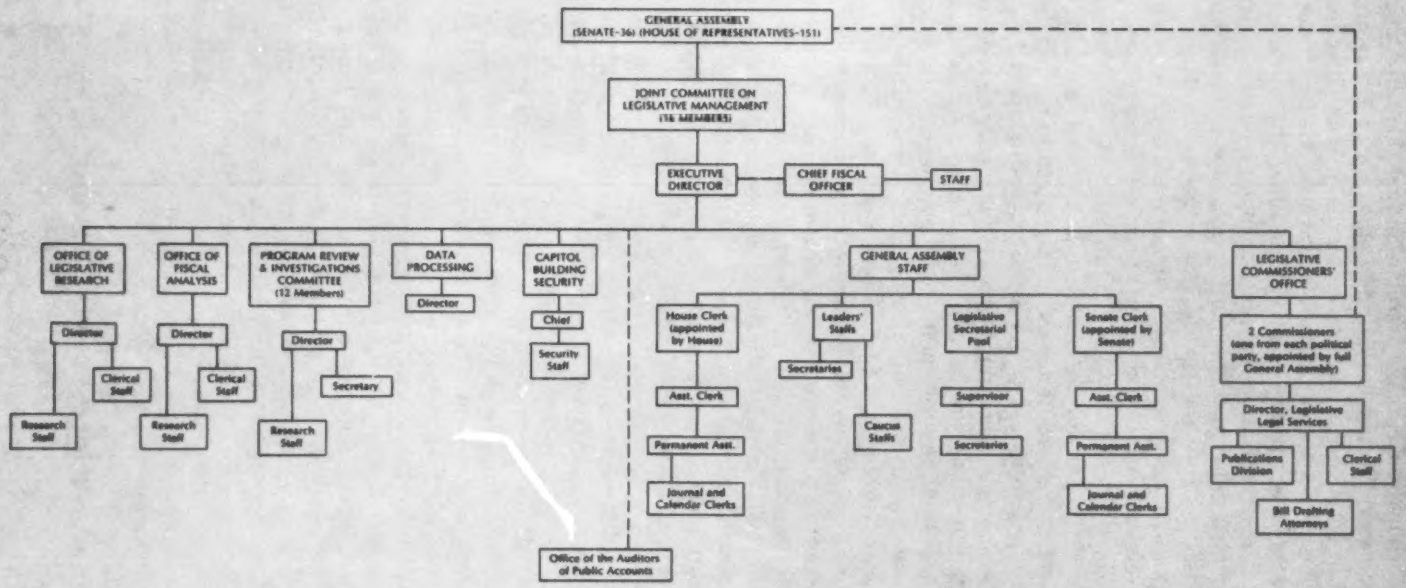
An organization chart of the General Assembly would show the Legislative Management Committee followed by its executive director, with the General Assembly's staff offices as arms or branches responsible to the committee through the executive director. The heads of the various offices report to the executive director and he in turn reports on their behalf to the Legislative Management Committee.

The entire appropriation for the legislative branch of government is under the jurisdiction of the Joint Committee on Legislative Management. This includes the appropriations to all specially created legislative committees and commissions. The committee has a chief fiscal officer who functions as a legislative comptroller and reports directly to the executive director.

The Joint Committee on Legislative Management meets every four to six weeks. The executive director prepares a meeting agenda and sends it to the committee members one week prior to the meeting. Once the agenda has been circulated, nothing may be added to it except at the specific request of a committee member.

All professional staff appointments, with the exception of the legislative leaders' personal staffs, and the two caucus staffs, are subject to the approval of the committee, with such approval requiring a two-thirds vote of the entire committee membership. Since the majority party can never have more than ten members of the committee (a five to three margin in each house), the two-thirds rule, which requires eleven votes, gives the minority party a virtual veto power over any staff appointments. The same two-thirds rule applies to any expenditure of more than five hundred

ORGANIZATIONAL CHART
Connecticut General Assembly
Legislative Services



of stalemates, this two-thirds rule helps to assure that politics is kept out of the internal operations of the legislature and that the administration of the General Assembly is handled on a strictly bipartisan basis.

In early 1970, a group known as the Citizens Conference on State Legislatures (the organization has since changed its name to Legis 50) received a substantial grant from the Ford Foundation to make a study of the fifty state legislatures in the United States and try to determine some sort of ranking of them in terms of their potential and their ability to perform effectively and responsibly for the people that elect them. The information upon which Connecticut's ranking in this report was based was compiled in early 1970. Unfortunately, all that the General Assembly had to show for itself at that time was statutory authorization to make substantial changes. The changes were yet to be made. Nevertheless, when the report was finally released a year later, Connecticut was ranked twenty-fourth among the fifty states and first among the six New England states. Given all of the changes and improvements that have been made since 1970, it seems reasonable to assume that if such a study were made today, Connecticut would rank substantially higher than it did in 1970 and 1971.

In terms of staff assistance, today's members of the Connecticut General Assembly are served by an expanded and restructured legal office, separate nonpartisan offices of legislative research and fiscal analysis, a program review and investigations office, and four partisan caucus staffs. These offices were designed to provide the independent expertise that the legislature lacked. Such expertise is essential if a legislature is to operate effectively as a coequal partner of government. These staff offices enable the General Assembly to develop meaningful policy alternatives to program proposals emanating from the executive branch.

Legislative Legal Office. Created in 1929, the General Assembly's legal office is the only professional staff office that was already in existence at the time the modernization movement began in the late 60's. The office is responsible for bill drafting and statutory revision and is headed by two part-time legislative commissioners, one from each political party. They are appointed to their positions by the full General Assembly after nomination by their respective parties. They serve for four-year staggered terms. Under these two legislative commissions is a full-time director of legislative legal services who, for all intents and purposes, runs the office on a day-to-day basis. In addition to the director, there are an assistant director, about eighteen bill-drafting attorneys, and a staff of attorneys and editors who do statutory revision. Each of the bill-drafting attorneys is assigned to one, two, or three of the General Assembly's joint standing committees and drafts all of the legislation that would ordinarily be within the jurisdiction of these committees. All staff other than the two legislative commissioners is appointed with the approval of the Joint Committee on Legislative Management.

Office of Legislative Research. Organized in late 1970, the Office of

Legislative Research provides nonpartisan research for the General Assembly's non-fiscal standing committees. The office is headed by a director who is appointed by the Joint Committee on Legislative Management on recommendation of the committee's executive director. Besides the director, the staff consists of about twenty researchers, an administrative assistant, two secretaries, and a librarian. The staff members are assigned to work with one or two standing committees throughout the year (the legislature's joint standing committees operate on a year-round basis) but they also respond to requests from individual legislators for research in their particular subject areas. They report to the director of the office and are appointed by the Legislative Management Committee on his recommendation and that of the committee's executive director. The professional staff of this office has an unusually high level of educational attainment. There are a few attorneys, a few Ph.D.'s, and the others all have at least a master's degree.

Office of Fiscal Analysis. Originally a division within the Office of Legislative Research, this office was set up as a separate entity in 1972. The office operates in much the same fashion as the Office of Legislative Research, except that its staff is assigned only to the two fiscal committees: Appropriations and Finance. The staff also handles fiscal research assignments for individual legislators. The director is appointed by the Legislative Management Committee on recommendation of its executive director. The remainder of the staff consists of approximately twelve fiscal analysts and two secretaries. The majority of the analysts work with the Appropriations Committee in budgetary analysis with the remainder working with the Finance Committee which handles revenue and bonding. They are appointed in the same manner as the staffs of the research and legal offices. The director supervises the overall operation, but spends the larger portion of his time working budgetary analysis with the Appropriations Committee. As is the case in the Office of Legislative Research, the professional staff of this office has a high level of educational attainment, with most of the individuals holding master's degrees.

Program Review and Investigations Office. As noted earlier, the 1972 General Assembly overrode a gubernatorial veto of a bill creating a Legislative Program Review Committee (since renamed the Program Review and Investigation Committee). This is a twelve-member bipartisan joint committee with three Democrats and three Republicans serving from each house. Appointments to the committee are made by the President Pro Tempore of the Senate, Speaker of the House and the Minority Leader of each house. Each of these leaders is a member of the Legislative Management Committee. The Program Review and Investigations Committee has a five-member staff which consists of a director, three researchers, and a secretary. The committee is responsible for selecting specific executive branch programs and conducting in-depth analyses of them to determine whether they are being carried out in an effective and efficient manner, whether they continue to serve their intended purpose, and whether they

require modification or elimination. The director and his staff are appointed in a manner similar to that of the previously discussed offices, but their efforts are devoted primarily to examination of the programs selected by the Program Review and Investigations Committee. Since 1975, the committee has also been responsible for undertaking formal legislative investigations, but such investigations must be formally authorized by the full General Assembly, if it is in session, and by the Legislative Management Committee if it is not. Unlike their colleagues in the offices of Legislative Research and Fiscal Analysis, the staff of the Program Review and Investigations Committee does not undertake research assignments for individual legislators. The professional staff members have a level of educational training comparable to their colleagues in the other offices.

Caucus Staffs. The majority and minority party in each house of the General Assembly is provided with an identical amount of money for a caucus staff which, in effect, functions as a partisan research staff. By providing equal amounts of money to the majority and the minority, individual employee tenure is not affected by changes in party control. Patterned after a similar operation in the Wisconsin Legislature, the caucus staffs consist primarily of full-time individuals who are supplemented by a few part-timers. Staff appointments are made by the top legislative leaders of each party. Caucus staff employees engage in whatever activities their respective legislative leaders deem appropriate. Generally, these would include the preparation of press releases for the individual legislators and research reports of a partisan nature.

Other Staff Agencies. During its five-year existence, the Joint Committee on Legislative Management has created a number of other staff service agencies. One of these is the Capitol Security Office which provides round-the-clock protection of the Capitol building and its grounds and parking facilities, all of which are under the control and supervision of the Legislative Management Committee. The security force consists of seven trained security officers who are employees of the General Assembly, and three state troopers whose salaries are paid from the legislative budget.

The committee has also created a secretarial pool to provide at least a minimum level of assistance to rank-and-file legislators, none of whom are provided with secretaries of their own. The pool consists of a small number of full-time secretaries, with additional people added to the staff during sessional periods.

Of course, each house of the General Assembly has its own clerk's office. In Connecticut, the Senate and House clerks are part-time employees, who are seldom seen in the Capitol when the General Assembly is not in session. Each clerk has a full-time staff headed by a permanent assistant who runs the office on a day-to-day basis. The clerks are appointed by their respective houses, but their employees are appointed by the Legislative Management Committee.

Aside from these staffing innovations, a number of other important changes have been made in the General Assembly operation in recent

years. In 1971, the legislative leaders restructured the committee system to reflect the major functions of state government. The number of joint standing committees was reduced from thirty to nineteen. For example, Connecticut became the first state to create a legislative committee on the environment. Previously environmental issues were handled by five or six separate committees. In 1971, these committees were consolidated into one body, thereby making it easier to develop one comprehensive environmental policy for the state. From a political standpoint, the task of restructuring a legislative committee system can be extremely difficult. A cardinal rule of politics is that one who has power does not relinquish it. But the elimination of legislative committees automatically eliminates committee chairmen, each of whom has a degree of power and influence within the legislative structure. Naturally, opposition inevitably develops from those legislators who stand to lose their chairmenships due to committee consolidation. Nevertheless, Connecticut's legislative leaders succeeded in this effort.

Connecticut was the first state legislature in the United States to fully computerize its operations. Every official document and action of the General Assembly is now entered into a computer memory bank and stored there for future use. Any such document or action can be recalled almost instantaneously from the legislature's computer system. In addition, all legislative printing has been converted from typeset to photo-offset which provides for more accuracy at less cost.

In 1967, Trinity College created a legislative internship program which was made available to junior and senior students who were interested in integrating work with the General Assembly into their regular course of study. Students who have participated in this program have gained valuable insights into the nature of politics and the legislative process. In 1970, the Joint Committee on Legislative Management followed Trinity's lead and established its own legislative internship program which is open to students from all colleges and universities in the state.

As noted previously, in 1970 the voters of Connecticut approved a constitutional amendment enabling the legislature to meet on an annual basis. In odd-numbered years, the General Assembly meets from early January to early June. In even-numbered years, the General Assembly meets from early February to early May. In effect, the so-called "lame duck" period has been cut from nineteen months to seven.

Since 1971, the League of Women Voters of Connecticut has assisted the Legislative Management by providing a daily information desk on the main floor of the Capitol building. The League also conducts tours of the building for school children and for the general public.

The Legislative Management Committee also works very closely with Connecticut Public Television in trying to constantly expand live and videotaped coverage of the activities of the General Assembly. Television coverage of its proceedings is perhaps the single most important thing that a legislative body can do to increase public awareness of itself. The

repeal of Connecticut's short-lived income tax in 1971 (the tax was enacted and then repealed before a cent could be collected) must be attributed, at least in part, to the fact that all of the deliberations that led up to its passage were shown on television throughout the state, and thus brought right into the living rooms of the people.

The Future. A great deal has been accomplished in recent years toward improving the institutional structure of the Connecticut General Assembly. The changes that have been made have contributed to a more professional, a more equal, and a more effective branch of government. Without question, the General Assembly is now better-equipped to respond to the needs of the people of Connecticut in an intelligent, independent, and effective manner. But a great deal remains to be done.

Perhaps the single greatest need is for increased legislator compensation so that no citizen of Connecticut who wants to run for the General Assembly will be deterred from doing so simply because he or she does not feel able to bear the financial costs that go with the job.

The General Assembly's professional staff capacity should be increased to the point where all legislators will have sufficient informational resources at their disposal. This would ensure that they would be as well versed and as informed on any piece of legislation as they might want to be. Another future necessity is offices and personal secretaries for all legislators if they are to effectively respond to the needs and requests of their constituents. These staff and space needs cannot be realized with the present Captiol building. Additional space thus inevitably becomes a very high priority item for the General Assembly.

It is hoped that the harmonious relationship that has developed between the two political parties with regard to the internal operation and improvement of the legislature will continue to flourish. A strong two-party system is an essential ingredient of the American governmental system. But partisanship should, as much as possible, be limited to the debate over the merits of legislation under consideration. Before and after such debate, bipartisanship rather than partisanship should prevail. Such a tradition has now been established in Connecticut, and the people of the state have every reason to expect that this tradition will continue into the future.

FOOTNOTES

[1] During his first two years in office Republican Governor Meskill cast 227 vetoes. This was the only veto which the General Assembly overrode.

CHAPTER 3

The Legislature's Most Important Bill

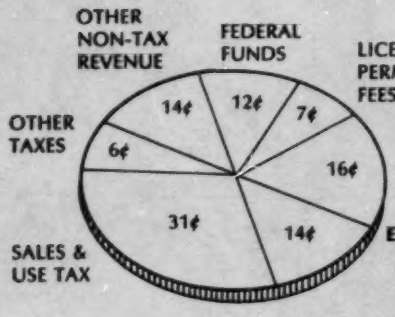
by
Ralph Caruso

Ralph Caruso has a master's degree in public administration from the University of Hartford, where he received the Outstanding Graduate Student Award. In 1976 the Junior Chamber of Commerce recognized him as one of the Outstanding Young Men In America. Joining the executive branch in 1964, he spent three years designing Connecticut's program budgeting system. In 1972 he was appointed Director of the Office of Fiscal Analysis of the General Assembly. He serves on the Legislative Improvement and Modernization Committee of the National Conference of State Legislatures.

AN OVERVIEW OF THE STATE'S GENERAL FUND BUDGET

$1.9 BILLION FOR
1977-1978 FISCAL YEAR
(JULY 1 to JUNE 30)

I. REVENUE (INCOME)

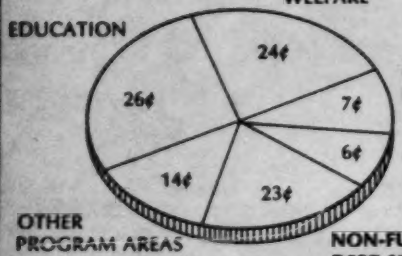


BUSINESS TAXES
CORPORATION BUSINESS
PUBLIC UTILITIES
INSURANCE COMPANIES

EXCISE TAXES
GASOLINE ALCOHOLIC BEVERAGE
CIGARETTE ADMISSIONS, DUES, CABARET

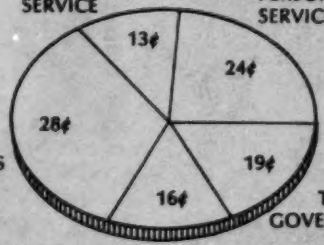
II. APPROPRIATIONS (SPENDING)

(BY PROGRAM AREA)



NON-FUNCTIONAL
DEBT SERVICE
EMPLOYEE RETIREMENT & INSURANCE, ETC.

(BY TYPE OF EXPENDITURE)



OTHER EXPENSES & EQUIPMENT

The Budget: The Legislature's Most Important Bill

During the 1977–78 fiscal year, nearly two billion dollars in public monies were received by the state and spent in meeting the public's needs. How much money will be taken from the people each year? What form of taxation will be used to raise those funds? What programs will be funded to meet the public's needs and which needs will go unmet? These are all decisions made by the General Assembly each year in the form of budget legislation. Consequently, the budget is considered to be the single most important subject deliberated in each legislative session. A glance at the diagram on the facing page will help provide a better perspective of the state budget. It shows, in a broad sense, where the funds come from and where they will go for the current fiscal year.

To gain a better understanding of the way the state legislature functions, we can focus our attention on the budget process. First, we can attempt to see how budgeting differs from other financial operations and how it can influence the whole quality of life in the state. Next, we can examine the financial responsibilities of the governor and General Assembly. And finally, we can study how the budget has become a means by which the General Assembly has attempted to regain much of the power it gave away to the executive branch during earlier periods.

What does "budgeting" mean? Some may answer that budgeting is the receiving and keeping of the state's money. This is not so, however. Handling money is the responsibility of the treasurer, who is required by the state constitution to receive and disburse all monies entrusted to the state. Others might answer that budgeting is the paying of the state's bills or maintaining the accounting records of the state. Again the answer is incorrect because these are responsibilities which the Constitution and statutes give to the comptroller. Unfortunately, the Connecticut Constitution is of little help because unlike receiving, disbursing, or auditing the public's money, functions that are expressly assigned to specific officials, the word "budget" or "budgeting" is not even mentioned in the body of the Constitution. Yet budgeting is considered one of the most important policy functions of government and affects just about everything a government does or can do. The first mention of "budgetary" is found in Article III of the Amendments which was adopted in 1970. This Amendment provides that sessions during the even years shall be devoted solely to budgetary matters, emergencies, and certain other priority business.

To budget means to decide who (what state agency) will do what things in meeting the vast array of perceived public needs, and how well or to what extent they will do them. The state budget is the sum of all appropriations legislation approved by both houses of the General Assembly and signed by the governor. Because nearly all actions taken by the legislature cost money, the budget both reflects and constrains the basic policy decisions which determine the direction of state government. Although a new annual budget bill (or bills) must be discussed and passed each year,

the budget decisions for a given year have an impact upon the state for many years after. It is important to realize that once a new program is approved in the budget, governmental structure is created, people are hired, responsibilities are assigned, and expectations are created for the citizens.

Just as the budget affects the pocketbook of the individual citizen through the sales tax, gasoline tax, and various other taxes, it also affects the ability of each business to earn a profit. In can influence both the quality of life for all the citizens and the general economy of the state. If the state legislature approves too much spending in the areas of education, highways, welfare, police protection, hospitals, and aid to its cities, then taxes must be raised or bonds sold to cover these added costs. When taxes on businesses are increased, primarily through the corporation business tax, major companies and corporations consider relocating in states which offer more favorable business environments; the jobs of those employed in these businesses are threatened. Similarly, companies considering moving into Connecticut are discouraged. Thus we see that there is a very intimate relationship and delicate balance to be maintained between expenditures, taxes, and the quality of life in our state.

Many see budgeting as an executive rather than a legislative responsibility. There are several reasons for this erroneous association. First, there is the influence of public perceptions of the national government. Although Article I, Sections 7(1) and 8(1) and (2) of the United States Constitution give Congress specific responsibilities for raising, spending, and borrowing money, the President has had responsibility for preparing a consolidated package of recommended appropriations for approval by Congress since the Budget and Accounting Act was adopted in 1921. Because the president receives extensive national attention with his State of the Union and budget messages each January and February, budgeting is viewed primarily as an executive rather than a legislative responsibility.

The concept of executive budget responsibility is even greater at the state level although many legislative bodies were also given powers of the "purse" by their respective constitutions. This is because state legislatures also began passing laws delegating budget responsibilities to governors due to the size and complexity of the task of putting a budget together. Legislatures had little in the way of staff to analyze agency budgets. The first state to authorize the governor to draft budget recommendations was Ohio in 1910. Other states quickly followed. By 1920, 44 states had new budgeting systems, and 23 had an executive budget. This movement by the states predated the federal Budget and Accounting Act of 1921. Thus we see that in spite of the national attention focused on the federal budgetary process, it was the national government that copied the structure and procedures for appropriations initiated by the various state governments.

On a relative basis, the governor of Connecticut has greater control over the budget process of the state than does the president with the

national budget. First, the Connecticut constitution gives the governor the "... power to disapprove of any item or items of any bill making appropriations of money . . ."; the president however must accept or reject the national budget as a complete package, and many times this package has contained certain appropriation items which the president would like to veto. Second, unlike the president, the governor's office and staff facilities are physically located in the state Capitol building along with the chambers of both the Senate and the House. Because there is no clearly defined physical separation between the executive and legislative branches, no mile-long walk down Washington's Pennsylvania Avenue, citizens tend to think of the state Capitol as the office of the governor first and home of the legislature second. The lack of exclusive facilities has seriously handicapped the General Assembly in its effort to develop an image as a co-equal branch of government.

The governor's domination of the General Assembly is further reinforced by the tradition whereby the governor rather than leaders of the legislature officially opens each legislative session. Although this tradition has no basis in the state constitution, the governor uses the State of the State Message, which is a type of generalized budget message, to establish the priorities and general directions to which the members of the General Assembly are expected to respond.

Equally important, it is the governor who closes the last session of the General Assembly by giving a type of "report card" message on how well the state legislators have done in responding to the needs of the state which the governor set forth at the start of the session. Because the state constitution establishes fixed dates for opening and closing each session, these limitations provide a convenient constitutional framework within which the governor can play a powerful symbolic role in controlling the taxing and spending functions of the state. While this symbolic role has never been seriously challenged, it is in direct conflict with the equally well established principle articulated by the Founding Fathers that the power of the purse should lie with the legislative body because it is composed of public officials who are closest to the people.

It is important to understand that executive domination of the budget is a phase in the enduring struggle between the governor and the General Assembly. During the nineteenth and early part of the twentieth century, the heads of various executive departments and agencies in both the national and state executive branches went directly to the legislators to get their funds. About the turn of the century state legislators began to realize that their part-time status and lack of staff were serious handicaps to formulating budget policy. However, rather than correcting or strengthening their resources, the legislators transferred much of their budgetary responsibility to the governor. In many respects, the legislature became little more than a "rubber stamp" for the governor. After the governor presented his budget recommendations to the General Assembly for approval, legislators were forced to rely on the executive budget staff,

the very ones who had assisted and advised the governor, for analysis and advice. If not an inherent conflict of interest, this arrangement was at least a violation of the spirit of separation of powers, which is now expressly designated in Article Second of the State constitution.

It appears that framers of the original state constitution and, more recently, the delegates to Connecticut's constitutional convention in 1965, believed that matters related to budgeting should be treated primarily as political issues rather than questions to be resolved by fundamental law. For example, there is no constitutional requirement that the state budget be balanced each year, i.e., revenue equaling expenditures, as is required for nearly all towns and cities by their local charters. Nor is there any legal requirement that the governor must carry out programs to the full extent of funds authorized by the General Assembly. There is not even a requirement that the governor or the comptroller keep the legislature informed on a scheduled basis as to the status of the state's financial condition. Whether the budget should cover one year or two years; how to handle surplus or deficit situations; use of long-term borrowing are all major budget issues affecting the fundamental economic well-being of the state, but are yet left to be settled by politics.

Throughout the past decade, the General Assembly has taken a series of steps to regain the power that it gave away more than a half century ago to the executive. To give concentrated attention to the governor's recommended budget, the legislature had divided its budget responsibilities between two joint committees appropriations (expenditures) and finance (taxes and bonding). It was not until 1973, however, that these committees had full-time professional staff and a working subcommittee organization to exercise truly independent political judgment on matters of financial policy.

During the 1974 session the General Assembly passed several fiscal reform statutes to reassert its budgetary influence. One was a law requiring that revenue estimates be included in the appropriations bill. Prior to this requirement the budget bill contained only expenditure authorizations. There was no real identification of the amount of money that would be available during the coming fiscal year to pay for these spending authorizations. The result was often an unbalanced budget.

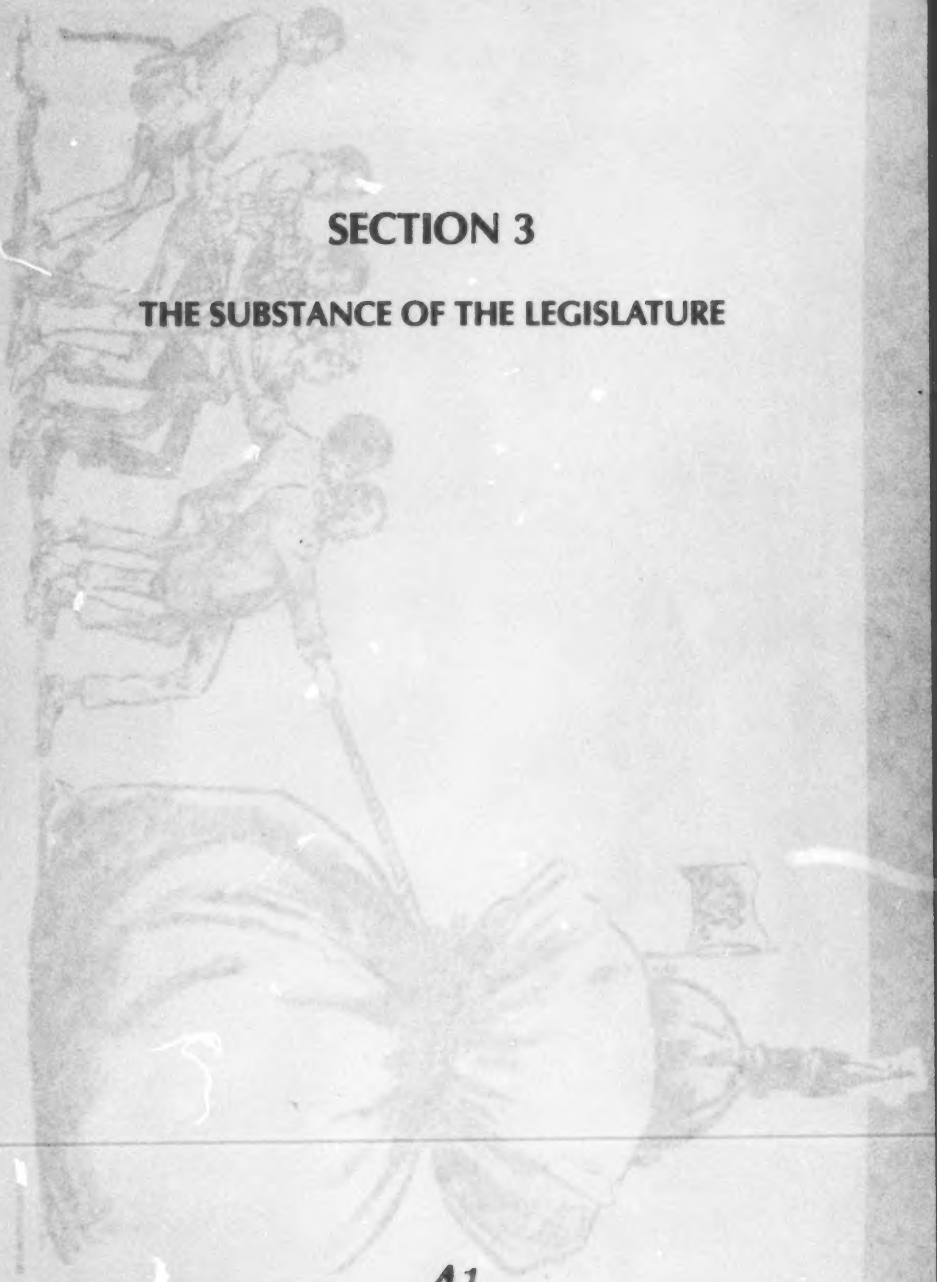
Also, the legislature felt a need to strengthen its relationship with the state comptroller. During the 1960's and early 1970's the comptroller submitted sporadic reports on the fiscal condition of the state. Because the legislature did not require that these reports be submitted on a regular basis, the state found itself $244 million in debt by the end of 1971. (As further evidence that a single budget can have long term impact, the legislature made a decision that this debt was to be liquidated over the next ten years.) To correct the problem of inadequate financial data the General Assembly drafted legislation requiring the comptroller to submit monthly statements during the course of a fiscal year.

Similarly, the members of the General Assembly saw the need to im-

prove their position with the heads of the various line agencies in the executive branch. Having gotten only summary outlines of funding requests for these agencies in the governor's budget, the legislators never really knew in detail how the heads of these agencies were planning to use requested funds. This shortcoming has been corrected in a law that requires copies of all agency budget requests to come directly to the legislature and be available to members of the appropriations committee when they review the governor's recommendations for funding agency programs.

Although these 1974 reforms received little publicity, collectively they were a major step in strengthening the power of the General Assembly over the state budget and its relationship to the governor. Through increased staff resources and increased initiative of its fiscal committees, by 1976 the General Assembly had significantly strengthened its budget relationship with the governor, the comptroller, and the heads of various agencies. But still it was frustrated by the requirements of many outdated fiscal statutes, some of which had remained unchanged since the 1930's. To meet this need the legislature created a Fiscal Reform Commission composed of the chairman and ranking members of both the appropriations and finance committees. It is anticipated that this commission will prepare a report for the 1978 legislative session which will contain extensive recommendations to revise Connecticut's fiscal statutes, and to further increase the budgetary power of the legislature.

Two enduring questions still remain. Should the governor or the General Assembly have greater control over the budget? Should some basic budgetary framework be defined in the state constitution or should it be left in the political arena?



SECTION 3

THE SUBSTANCE OF THE LEGISLATURE

CHAPTER 4

Hartford's Struggle To Acquire More Funds

by
Clyde D. McKee, Jr.

Hartford's Struggle To Acquire More Funds

On May 8, 1977, the **Hartford Courant** reported, "Six legislators from Hartford and New Haven kidnapped the state budget for a week and collected $4.5 million in welfare increases as ransom for its return to the General Assembly." What was not discussed by Connecticut's news media was the fact that this incident, which was headlined as "The Great State Capitol Holdup Caper," represented a major change in Hartford's political strategy in dealing with both its metropolitan area and state legislature.

Hartford's modern urban strategy may be looked at in five distinct phases. The first phase began early in 1969 with the creation of the Greater Hartford Corporation, which was an organization created by the major businesses in Hartford metropolitan area and represented their response to the turmoil and frustrations of the 1960's.[1]

After two years of planning, this strategy resulted in the creation of two new nonprofit service corporations, the Greater Hartford Process, Inc. and the Greater Hartford Community Development Corporation (DEVCO). With a stated purpose to "set up a process of change" for the 29-community, metropolitan region of Hartford, Process was designed as a planning organization to "set forth the goals and the arithmetic for a better region, and design specific proposals to bring about a region that 'works.'" DEVCO was the development instrument created to obtain financing, acquire land, and engage in site planning, development, and management of the community development proposals generated by Process.

In 1971 Hartford's business community was optimistic and confident of its ability to do what public sector agencies had been unable to do. Twenty-nine corporations put up more than $6 million dollars to fund the creation of a newly planned community to serve 20,000 persons, to restore the physical area of the entire city of Hartford, and to set up an enduring system that could integrate social, economic, and physical subsystems. To bridge the public and private sectors the business community created within Process a Board of Directors composed of a "coalition" representing business, labor, residents, local government, and planning agencies.

Within three years Hartford's corporate dream for a restored metropolitan area was shattered. Business leaders blamed the 1973 national economic recession. But city managers, mayors, and others closely associated with the dream, said that at least part of the failure should be attributed to the covert land acquisition methods that Process and DEVCO used. Techniques designed by James Rouse to acquire 28 square miles of land in Howard County, Maryland, to build the new city of Columbia outside Baltimore were unsuited for Connecticut's political system, where power is far more decentralized. When Governor Thomas Meskill, who was never part of the planning group of Process, prematurely leaked to the public that DEVCO had purchased 1500 acres for a new community in the small rural community of Coventry, near the campus of the University of Con-

necticut, the project died before it was born. But the failures of this first phase had lingering side effects upon Hartford.

The most ambitious project ever conceived by Hartford's corporations had failed. This failure greatly embarrassed the board chairmen and presidents of some of the largest insurance companies and banks in the United States. Business could do no better than government in solving Hartford's urban problems associated with health, education, housing, transportation, taxes, etc. But unlike local governmental agencies Hartford's corporations thought they could withdraw from public commitments and responsibilities. During 1973 and 1974 many of Hartford's business leaders vowed never to get burned again by entering the labyrinth of Hartford's metropolitan problems. But there were few alternatives to the financial and political support which the business community provided. This lack of alternatives forced the city of Hartford to adopt a second strategy.

Hartford's Democratic chairman, Nicholas Carbone, who was also a city councilman, conceived the political strategy that the way to solve Hartford's problems was for Hartford to elect a sympathetic governor. The paradox in this plan was that Robert Killian, the former Democratic party chairman in Hartford and the state's attorney general, had to be defeated by Hartford Democrats so that Congresswoman Ella Grasso, from the Hartford suburb of Windsor Locks, could gain the nomination and win the election. Unfortunately for Hartford, this second political strategy failed as badly as the first.

Governor Ella Grasso won her election by 200,000 votes. But during her 1974 campaign she ran scared and made anti-urban commitments such as promising to veto a state income tax. She also allegedly broke the personal commitments she had made to Hartford's political leaders.[2] These commitments involved passing $16 million dollars in federal funds through the state to the local government and steps to create more jobs for urban residents. Because reapportionment in 1964 had taken away Hartford's urban political power base in the state Senate, Hartford had no other state governmental political alternative.

Hartford's problems became even more intense. In 1974 Richard B. Nathan, senior fellow at the Brookings Institution, published **The Record of the New Federalism: What It Means for the Nation's Cities.**[3] Using six factors Nathan judged the disparity between Hartford and its suburbs to be third worst in the nation. Also, the trends were bad. Urban population was declining, manufacturing jobs were leaving the city, urban blight was spreading, and the state government continued to "cap" formula-based funds from both the state and federal governments.

Again faced with no alternatives within the traditional arenas of politics, Hartford adopted a judicial strategy in 1975 for its third urban political strategy. What could not be gained by business or from the state government might be gained from both the state and federal courts.

By the summer of 1975 Hartford had begun to reap rewards from this strategy. Borrowing "the coalition" idea from an old plan of Process,

several Hartford officials joined a group of low income and minority residents and initiated a class action complaint against Carla A. Hills, Secretary of HUD, to improve housing for low income families. Five months later a U.S. district judge in issuing a permanent injunction blocking the distribution of $4.7 million in federal funds to seven suburban towns forced the towns and cities in the metropolitan area to adopt a regional housing plan that included a five-year quota of units for low- and moderate-income families. Hartford officials had gotten state and federal judges to do what the governor and state legislators had refused to do. But the city of Hartford had paid a price for this strategy.

Although Hartford had sued the secretary of HUD, the money in question had been denied the suburbs. Hartford had used the federal courts to force suburban politicians to make a political decision which could not have been negotiated by the governor, the state Democratic chairman, or the political leaders in the towns and cities in the metropolitan area. But Hartford had in effect sued its suburban neighbors, and these neighbors wanted both political and economic revenge.

Leaders from suburban communities closest to Hartford made public statements that they were going to gang up on Hartford's twelve representatives in the General Assembly. To protect itself from these threats which proved of little consequence because Hartford's suburbs fear each other as much as they fear the core city, Hartford developed a fourth strategy.

Hartford had tried in 1974 to capture the governorship. But in 1976 city officials realized that this was really an indirect strategy to influence the governor's decisions on the state budget. In April 1977 Hartford's political leaders initiated a plan to significantly increase state benefits for poor, disadvantaged citizens living in urban areas. The key step in the plan was to capture the state budgetary process. The target was a majority of votes on the House and Senate Appropriations Committees.[4] In many respects, this strategy was more daring and imaginative than the economic strategy of the corporations to build a newly planned community of 20,000 persons.

The Democrats controlled the Appropriations Committee in the state legislature 24 to 14. But Hartford's Democratic political leaders had the audacity to initiate negotiations with Republican leaders in the legislature, particularly two leaders who are seeking the GOP nomination for governor in 1978. It is important to realize that Hartford learned a lesson from the failures of Process and DEVCO. Although the particulars of these negotiations with Republican leaders were secret, there was no attempt made to conceal the fact that Hartford had designed a political strategy that included the following steps: (1) Creation of a "City Institute" as a vehicle for developing a comprehensive and continuing dialogue between core city and suburban officials. (This step was necessary to counter the side effects of the third strategy.) (2) Use of the Capitol Region Council of Governments (CROG) to assist in the formation of a coalition of legislators

from both the suburbs and the city to develop common interests and to provide legitimacy for political action by Hartford's state representatives. (3) Development of a statewide, bipartisan urban coalition of local and state representatives from Connecticut's larger cities and towns that share many of Hartford's problems. (4) Creation of a strong citizens' lobby composed of more than 800 Hartford residents who were prepared in city-sponsored workshops to lobby in areas of tax reform, welfare benefits, and employment opportunities. Members were encouraged to conduct demonstrations at the state Capitol. (5) Formation of a bipartisan coalition within the legislature's Appropriations Committee to block the governor's budget and force concessions from the Democratic leaders. To the dismay of the governor and Democratic leaders in the legislature, the plan worked. Four Hartford Democratic legislators and two New Haven legislators joined 14 Republican legislators to capture a $1.915 billion budget and block 300 committee-approved bills.

The bipartisan factions that composed the majority coalition on the Appropriations Committee achieved their objectives. The Republican legislators wanted to increase the state budget to wipe out a large anticipated surplus which Governor Grasso could use as a campaign issue. They also wanted to split the Democratic majority into urban and anti-urban factions, giving their own candidate a better shot at the governorship in 1978. Their hope was that this split could be made so intense that Governor Grasso would not seek reelection.

The Democratic urban faction had the immediate objective of forcing Governor Grasso to expand welfare benefits beyond the five percent figure recommended in her budget. By blocking passage of the governor's budget in the Appropriations Committee, Hartford achieved the following:

- a ten percent increase in benefits for disadvantaged, poor citizens
- $2,607,778 from state pass-through of federal anti-recessionary funds
- $87,050 increase in road funds
- $1,300,000 for guaranteed tax base education equalization (Connecticut's system for state support to public education was ruled unconstitutional in 1977.)
- $390,000 for bilingual education
- $2,400,000 as payments-in-lieu-of-taxes on state-owned property
- $600,000 of municipal income from Hartford's Jai Alai facility, which is state regulated

In short, this legislative strategy by six urban Democrats had a payoff of $7,304,838 of increased financial benefits for the city.

There is a fifth strategy that needs to be described. It was a 15 to 1 long shot that is stll paying off in political benefits. Early in the 1975–1976

Democratic campaign by candidates for the party nomination for president most of Connecticut's professional Democrats make one of two assumptions. Governor Grasso and various Democratic labor leaders supported Senator Jackson on the assumption that he could win the nomination. Many other local and state Democratic leaders assumed that no candidate would win on the first ballot at the national convention, that the convention would provide opportunities for bargaining, and that the best position for them personally would be to go to the convention as unpledged delegates. Both of these assumptions proved to be politically incorrect.

In late November 1975 Hartford Councilman Nicholas Carbone made a commitment to support Governor Jimmy Carter. As an early supporter, he quickly assumed influence in the state and national campaign. He was instrumental in giving Jimmy Carter a 4,000 vote plurality from Hartford in Connecticut's first presidential primary held on April 27, 1977. Because of the small Democratic voter turnout (19 percent), Hartford enabled Carter to win the primary over Congressman Udall by a margin of 18 to 16 percent of the votes cast.

The Carter administration has not forgotten the role that Hartford played in the campaign. Councilman Carbone was appointed to the national platform committee. He has been consulted on various presidential appointments from Connecticut. In August 1977 he was spending four to six days each week in Washington advising members of the Carter administration on urban policy issues. Because Carbone has significant influence in Washington, his influence in local and state issues has increased, in spite of the fact he is not on friendly terms with Governor Grasso.

What about Hartford's political strategy for the future? To what extent can any of these five very different strategies be used again? Because the Jimmy Carter strategy has potential for continuing long-term benefits for both Councilman Carbone and the City of Hartford, this strategy will be continued. Also, the citizens' lobby component of legislative budget-capturing strategy will be retained in future legislative sessions. Similarly, Hartford has plans to increase its involvement in the activities of the statewide bipartisan urban coalition by initiating more meetings, better agendas, and improved work of the coalition in "educating" legislators on selected issues.

Hartford's future political strategy does contain a very new feature. Democratic leaders have been working closely with professional staff in city hall to prepare a comprehensive statewide economic development plan. When this plan is complete, Hartford will use it as a basis for pledging its political support to a candidate for governor. Although those who are preparing this plan hope it will be a Democratic candidate other than Governor Grasso who pledges support to the Hartford plan, covert support to a Republican nominee is not an impossible political alignment.

Because Hartford's political leaders have demonstrated a capacity to learn from past mistakes, to salvage parts of plans that fail to work, to

form coalitions with the opposition, and to initiate bold and daring plans that have never been used before, we should anticipate that the future political history of the Hartford metropolitan area will be as interesting as the history of the last decade.

FOOTNOTES

[1] See **The Greater Hartford Process**, a report prepared by the American City Corporation, a subsidiary of the Rouse Company, builder of the new city of Columbia, Maryland.

[2] See article by Clyde McKee, "Hartford Case Raises Issues — Hud, State, Region Act After Decision," **National Civic Review**, Vol. 65, #6, June 1976.

[3] Governor Grasso believes she has kept her political promises. In an address to the New England Associated Press on September 16, 1977, she said, "In our Capitol City of Hartford alone, payments from all state sources have gone up 58 percent during past four years) . . . From $28.8 in the last year of the previous administration to $45.5 million this year."

[4] Unlike most states Connecticut has joint committees in the state legislature.

CHAPTER 5

Guidelines For Initiating Legislation and Understanding Its Scope

by
Joseph I. Lieberman

Joseph I. Lieberman attended Stamford public schools and Yale College in New Haven, where he was graduated Magna Cum Laude and Phi Beta Kappa. He is also a graduate of Yale Law School. In 1968, he was state chairman for the late Robert Kennedy's presidential campaign. Elected to the state Senate in 1971, he became Majority Leader of the Senate in 1975. He is author of **The Power Broker** and **The Scorpion and the Tarantula.** A resident of New Haven, he was recipient of the New Haven Jaycees Man of the Year Award.

Guidelines For Initiating Legislation and Understanding Its Scope

State Senatorial Reflections

I write this during my seventh year as a state senator. If I were a university professor, it would be time for a sabbatical year — full of reflection. In politics, we have no sabbaticals except those bestowed, contrary to our desires, by our constituents when they are unhappy. Disinterested as I am in such involuntary rest, I would like to use the space offered me in this volume for some personal reflections on my legislative experience; some lessons learned on the way to where I am. I hope this will be of interest to the students in Connecticut's schools who will read this book and others who may think about spending some part of their lives in politics.

Often when I am asked how I got into politics, I answer that it began with my election to the presidency of my sixth grade class at Belltown School in Stamford. That sounds silly but it is basically true that there is pleasure and satisfaction, which I discovered early, in participation in group activity, community institutions, and leadership. I believe that the same personal instincts that lead people to be active in social clubs, religious organizations, or sixth grade classes lead other people to run for state senator, or mayor, or president. Those instincts in me were surely given substance and direction by the election and abbreviated presidency of John F. Kennedy. I was 18 years old in 1960 when Kennedy came to office; for me and so many of my generation, Kennedy transformed politics into a worthy career goal, a respectable profession.

Many years and many elections later, I can think of no more varied, challenging, exciting, and ultimately satisfying way to spend my professional life than politics.

Elective Politics & State Government

Since elected state officials have to be elected before they can be state officials and the manner of their election significantly affects the manner of their service, I begin with a few thoughts about political campaigns.

I had not always envisioned a life in state government. My original political dreams were much more unspecific — simply to get involved and get elected. I ran for the State Senate in 1970 for two reasons: first, personal history, and second, political chance. First, my study of Democratic State Chairman John M. Bailey had aroused a personal interest in state government and had made me comfortable in state politics. Second, the particular state senate race in New Haven was there and seemed worth running. The incumbent was seeking higher office and, if he failed at that and returned, I felt there were reasons to think that I could win. Herein, the first lesson of politics. So much is luck, particularly in timing. Hard work is important; so are personal skill, issue development, and

organization. But without luck in timing, the rest cannot produce victory. By luck in timing, I mean the coming together of a politician's goals with the historical environment that *makes those goals obtainable.* For instance, the most talented and hard working politician (call him Smith) may never achieve his highest goal if that goal is an office occupied by a popular politician (call him Jones) during the time when Smith is at a point in his career when he personally is ready, and the public perceives him as ready, to seek higher office. No politician is perpetually secure. That is one of the blessings of democracy for the governed, and one of its more unsettling aspects for those who govern. So that when Jones is ready to retire or be retired, Smith may be on the way down or out himself, or a third politician (Green) may have come along and be stronger than Smith at that instant. Perhaps, on the other hand, Smith may still be riding high and ready to go. Such is the luck of political timing. It is "luck" in the sense of change; that is, it is something outside of the individual politician's ability to control. If he is ambitious, the politician must decide when to act, when to push himself into the historical currents of his time. Since it is rare for an office to fall without effort into a politician's hands, he must regularly decide between acting precipitously and waiting too long.

Here are some other thoughts I carried away from my first campaign.

(1) It is obvious, but worth stating, that no one is elected to office on his own. No one can do it alone. Every politician needs help. Every politician is dependent upon and indebted to others. Although obvious, politicians, particularly winning ones, sometimes forget that they did not win all by themselves. But no one individual can make all the contacts, mail all the literature, write all the press releases, contribute or raise all the money, and bring out all the voters. Certainly, no one individual can cast all the votes (although some have tried).

I repeat, all of us are dependent and indebted. The question is to whom we have these dependencies, and whether they are concentrated among one small group of people. The more diffuse and diverse a politician's dependencies are, the freer and probably better he will be in office. But no politician is totally free because all politicians are indebted.

Although my first campaign was independent because it was against established power and had little traditional political support, I emerged from it feeling grateful and obligated to many people. To this day, if I am called for a personal favor or about a piece of legislation by a person who helped me in that first campaign or any of the subsequent ones, I know I give such a call added weight and make an extra effort to accommodate. Call it politics, call it human nature. It is a fact of political life.

(2) It usually takes money to run a successful campaign, and raising it is the easiest way for a politician to limit his freedom and diminish his effectiveness even before he gets into office. As we saw caricatured in the Watergate scandal, the campaign fund-raising side of politics is the place where a tiny, selfish minority can most easily gain unequal access

to, perhaps even control of, our political system and pervert the principle of rule by will of the majority.

It is easy for an observer to tell a politician in the middle of a critical campaign not to accept a large contribution from a vested interest group or individual to whom he does not want to be indebted. It is not so easy for the politician for whom that money may mean the difference between victory and defeat, personal success or personal failure. That is why all the post-Watergate legislating of campaign contribution limitations and public financing of elections is so important. It is all part of the selectivity and spreading out of dependencies that I referred to earlier.

(3) You cannot satisfy all of the people all of the time. Surely, that is another obvious truism, but one which is easily forgotten by an eager politician in pursuit of elective office. It is forgotten because of that wonderful cornerstone of our democratic system — majority rule. Politicians are generally the kinds of people who like to be liked. During campaigns, we particularly want to be liked by a majority of the voters. We may therefore instinctively try to say nothing that will upset anyone or we may answer every request for issue support with a ringing commitment to help. Special interest groups understand this dynamic and often circulate questionnaires to candidates or confront us at meetings, asking for "yes" or "no" answers to questions of major public policy. Because he wants their support it is at least tempting for a candidate in mid-campaign to give these groups the answers he knows they want to hear, even though his mind is unsettled on an issue. If a candidate has not made up his mind on an issue, the best thing he can do in a campaign is to say so. If he is on the opposite side of an issue from an interet group or audience, the candidate should say so. The more I have been in politics, the more I have concluded that the majority of voters whose support all politicians seek (and even most onrushing interest groups) will respect the candidate and elected official more for that kind of forthrightness than for an easy accommodating answer.

(4) Although political campaigns are increasingly susceptible to modern technologies and social science theories, nothing beats personal contact between the candidate and the voters. That, too, is a blessing of democracy which works from the local level right up to the presidency, if the 1976 Carter presidential campaign is any indication. Polling, mass media, mass mailings and the rest of the modern political paraphernalia are all important, but the surest way to gain the support of a person is to face him face-to-face. I am convinced that is why I won my first campaign; which leads to my final conclusion about political campaigning. It takes a lot of just plain physical stamina to make it. The longer you can stay on your feet, the more hands you can shake, the more votes you will receive, and so forth.

Therefore, if you are interested in getting into politics, I would counsel you to begin at the gymnasium or doctor's office. Incidentally, it helps once you are elected, too.

Lessons of State Legislative Life

(1) Scope and Importance

State government has grown dramatically in recent times. Gone are the days when the state simply ran the jails and courts, built a few roads, and tended to agricultural problems. Today, state government expresses the most varied sweep of values of society in law and delivers the very wide array of services people have demanded. It touches people's lives in more ways than any other level of government, literally, from birth to death.

State government licenses the hospital where the baby is born and the doctor who does the delivery. It decides when and how a pregnancy can be terminated. It regulates how much the hospital will charge, who will pay what portion of the charge, what tests the baby must be given, and what will be the form and content of the official birth certificate. It mandates whether the mother must be compensated for time taken off for the pregnancy and rehired when the pregnancy is over.

At the other end, state government defines the moment of death itself and creates a process for deciding whether an autopsy should be performed to see whether the death was natural, as well as establishing the criminal law that tells how to determine who may have caused an unnatural death and how to treat that person. It decides whether and how citizens can decree that parts of their bodies be removed after death and donated to others. It determines how a person can dispose of his property at death and where that property will go if he has not written a will. It licenses and regulates the morticians who prepare and see the deceased to burial as well as the cemetaries where burial occurs. It determines who will pay for all these services if the deceased cannot and how much will be paid. It establishes the form and content of the official record, the death certificate.

The above catalogue of state contacts with birth and death is general. I would use all of the space allotted to me in this book with a detailed listing of the ways in which the state affects the beginning and end of our lives without even approaching all that happens in between.

My point is that although the federal government with its international presence and media prominence and the local governments with their visible services (garbage, police, fire) and political proximity often seem more on the minds of people, it is surely state government in America that touches and directs our lives every day in many more ways.

For me, that has made state legislative service fascinating, challenging, and satisfying.

(2) Why Do We Do What We Do?

The setting of legislative priorities is a complicated process, as it should be in a democracy. There is no one dominant source; many factors influence the setting of goals and the extent to which those goals are realized. The legislative process is like a river that is being fed by many streams. Some are bigger than others but they all enter and become part of the

flow. So too with the legislative process. Many individuals and groups influence the process but no one always dominates. On a given issue the governor, the political parties, legislative leaders, interest groups, individual citizens, and the media all bring views and goals of varying intensity to the process, but, in the end, it is the judgment of **individual legislators** accountable to individual constituencies that determines the result. That majority is like the dam downriver determining how much water will get through; and that is as it should be.

An important point to stress here is that the extent of influence an individual has varies from issue to issue. No one person or group can work its will all the time. On some issues, the majority of individual legislators will respond to the governor; on others, they will ignore the governor and follow the party chairman or legislative leader or interest group. Power is very diffuse.

This means that the process can be marvellously open. In terms of probabilities, I would certainly say that a governor's sense of priorities, for example, would **probably** influence legislative behavior more than an individual legislator's or an interest group's. But any observer of Connecticut politics can give you several instances where the opposite turned out to be true, because in those instances the individual legislator or the interest group convinced a majority of other individual legislators that his priorities were more sensible or more popular.

In the setting of priorities, legislators are primarily reactive. We react to problems we see, ideas we receive, or demands we are given. I am a little bit amused and a little bit bothered when a critic of a particular government program speaks as if we legislators have established that program for our own exclusive personal or psychic benefit. State government has grown greatly in recent times not because state officials, acting alone, have wanted it to. Every new program has been either a response to a problem or a need that people (our constituents) have wanted or the fulfillment of a requirement imposed by the federal government or the courts.

The democratic political process encourages that reactive behavior, because we legislators know that we must return to our constituents every two years and if we want their approval it will be helpful to report on ways in which we have reacted to their needs and ideas.

Here again, I want to stress the openness of the system. Some of the best things we in government do result from ideas brought to us by individual citizens. Let me cite four very varied examples in my own recent legislative life. A contact by an attorney involved in the juvenile justice system led me to sponsor a bill, which was passed into a law, that provides for harsher treatment of repeated juvenile offenders. A woman concerned about caring for older people without putting them into nursing homes had an idea for creating day-care treatment centers for the elderly in Connecticut, and we have now done it. And, an elderly woman, a friend and campaign supporter, who likes to play bingo told me that

hundreds of Connecticut residents were going to neighboring states each day to play bingo because our state law set low limits on prizes at bingo games. We raised the limits.

In reacting to these many ideas and to the priorities of people and groups that participate in the legislature, the individual legislator experiences the age-old question of whether he represents his own point of view or that of his constituents. My answer is that it depends on the issue, remembering that there are an enormous number and variety of issues that come before us. No legislator is previously informed or opinionated on all of these issues. On some, he will have no prior opinion and so input from his constituency will decide how he will vote. On others, his personal opinion will be so strong that he will vote that way, regardless of what he perceives his constituency to think, and hope that he can convince the folks back home to respect him for his reasoning if not for its result. In between these two poles, there is a long continuum along which the legislator will balance personal opinion against constituent input, fitting in also all the other forces at work in the legislature — governor, party, interest groups and media.

One of the most difficult and elusive aspects of the legislative life is determining what constituents really think, even though that perception by a politician of his constituency is fundamental to democracy. I represent about 85,000 people in the state senate. If I hear by letter or phone from ten of them on a given issue, that is significant to me, because I do not hear from ten people on many issues. Where I begin with no strong personal opinion, I would like to represent the will of a majority of my constituents. The quandary for me is determining whether those ten people are: (a) representative of the majority, (b) an organized minority, or (c) simply ten oddballs. Some legislatures try to improve the process by taking polls, although these are rarely scientific. Most of us follow our own hunches about where a majority of our constituents is and combine that with our personal judgment about what is right in deciding how to vote.

A final word about why we do what we do; behind all the philosophizing and strategizing it is important to remember that legislators are human beings with all the unique emotional and physical characteristics of the species. In other words, in spite of all the theories of legislative behavior I have expressed above, a legislator's vote on a given bill may finally be determined by none of those but instead by whether he likes or dislikes the individual legislator who is proposing the bill, or whether his personality leads him to want to go along with his party or governor, or whether he had an argument with his wife that morning, or was up too late the night before, or has a cold that makes him experience the rest of the world more unhappily than is his normal instinct.

(3) How We Do What We Do

In recent years we legislative leaders of both parties have devoted much energy to improving the processes of the legislature, making them more

open and more orderly. All of us are proud of our accomplishiments in this area, not because we believe that process is as important as substance or product, but because we believe that an open and orderly process is more likely to produce a sensible and constructive result. Punctuality and scheduling are an important aspect of these improvements. If I had to choose between starting exactly on time or doing something better but later, I would choose the latter. But it is worth working to avoid having to make that choice; in other words, to be prepared to do something right in a punctual way. This orderliness is important for three major reasons: (a) the more we can make government processes efficient and predictable, the easier it is for the governed to relate to their government; (b) the more we can avoid the kind of chaos that occasionally characterizes legislatures, particularly in their closing days, the more our constituents will respect the system and us, and the greater will be the trust between us; (c) the more the process can be efficiently organized, the less likely it will be that individual legislators will be pushed to the kind of physical and emotional exhaustion that is not good for them personally or for their legislative product.

(4) What We Have Done and Can Do

It has become conventional wisdom to observe that state government since World War II has passed through an Era of Growth into an Era of Limits. There is some truth to this observation but it is not the total truth. That government in Connecticut and elsewhere has grown enormously is true and provable from all kinds of data. For example, the number of full time Connecticut state employees grew from 18,142 in 1952 to 44,878 in 1977. The state budget for the two-year period 1947–48 was $148,000,000, while the one-year budget for the fiscal year 1978 is $1.9 billion. Any entity that experiences that kind of sustained growth must be subjected to fundamental reevaluation or it will surely become cumbersome, inefficient, or stagnant.

In the mid 1970's we in Connecticut state government have made governmental reorganization and efficiency our overriding concern. We consolidated over 200 state departments and offices into 22 agencies. We enacted a "sunset" law that will put state boards and commissions out of business unless they can demonstrate every five years that they are performing a meaningful public service in return for the tax dollars they consume. We improved our legislative capacity to evaluate and investigate state administrative offices and their budgetary requests.

Yet, in our quest for efficiency, we have not forgotten that our purpose in government is to serve people, to improve the quality of life led by our constituents. If those who describe the current time in government as an Era of Limits mean to say that government must put on the brakes and no longer be an affirmative force in people's lives, then I disagree. The opportunities for government to help people in new ways are as broad as they have ever been, as broad as the problems that exist. The more efficient

we make our government, the better we will be able to respond to these problems. We must, as President Carter has said, prove that government can be both competent and compassionate.

An so I would say that our time in state government is not an Era of Limits but an Era of Efficiency and Opportunity. It is a time when I am glad to have the opportunity to participate in state government. And I hope it is a time when you will decide that state government deserves your interest and involvement.

CHAPTER 6

The Legislature's Economic Responsibilities and Priorities

by
Lewis B. Rome

Lewis B. Rome is a graduate of the University of Connecticut and University of Connecticut Law School. Born in Hartford, he moved to Bloomfield, where he served as mayor, 1965–1969. He was elected to the state Senate in 1970 and served his Republican party as majority leader (1972) and minority leader (1976). He is the recipient of the Charter Oak Leadership Medal, the Bloomfield Republican of the Year Award, the Jaycees Distinguished Service Award, and the Outstanding Young Man of Bloomfield Award. In 1977, he was a candidate for the nomination by the Republican party for the office of governor.

The Legislature's Economic Responsibilities and Priorities

"No man's life or property is safe while the legislature is in session." Fact or fiction? Partly each!

The legislature in Connecticut has a more direct and less predictable impact on our lives and property than either its congressional cousin or its local relative, the council or board of selectmen.

The legislature, through its vast powers, is able to create new sources of tax revenue. Its tentacles reach into every area of our lives. Some obvious examples are: the tax on dividends, sales tax, income tax, and the gasoline tax. Per capita costs for the services provided by the state will be $617 for the 1977–78 fiscal year. It can dramatically and quite unpredictably change income pictures of businesses operating in Connecticut; for example, by raising the corporate tax from 8 percent to 10 percent. This sort of change and others, such as creating higher levels of unemployment compensation, can have a greater impact on corporate profits than can most top corporate vice-presidents.

The United States Congress, as powerful as we sometimes think it is, operates under several significant limitations.

The first is the tenth amendment to the Constitution which states that, "The power not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The Congress, because of its size and the divergence of constituencies, reacts slowly to the national economy and attempts to use the budget as a tool in governing the economy. Taxation is a key method for the Congress, too, but because it is slow and deliberative, the Congress is reasonably predictable in this and other areas.

The governing body most in tune to the electorate is at the local level where contact between constituents and government is constant. Its powers are derived from and limited to a great extent by the state legislature; and in Connecticut it has only one tax it can impose — the property tax. This tax is direct and basically impossible to camouflage. Thus, major changes upwards or downwards are avoided in order to avoid voter reaction and, again, taxes are easy to predict.

Another area which has a direct impact on our lives and creates problems at the local level is mandating. The legislature requires local communities to undertake new programs and procedures without providing the necessary funds.

A significantly and potentially very costly new mandate was imposed on municipalities by the 1975 General Assembly — compulsory binding arbitration for municipal employees.

In addition, the state has mandated other programs, such as special education with the benefit of state financial support.

The legislature can have an equally serious impact on municipalities when they unmandate programs. In many cases, citizen expectation and

reliance have been built up for these programs and communities are left with a continuing program which they cannot abandon. This is simply another form of state mandate.

The state legislature has the capacity to act or react quickly to public pressure, as it did in 1971 when the legislature passed an income tax and quickly reversed its decision due to public outcry.

Although the legislature is unpredictable, it doesn't go off in any extreme direction. Its diversity and makeup create its own internal system of checks and balances. The current legislature is made up of people from many walks of life — lawyers, bankers, teachers, physicians, as well as a farmer, a grocer, a bricklayer, an airline pilot, a meterman, and many more. Their ages range from to 22 to 78. Women comprise 14 percent of the Senate and 21 percent of the House of Representatives. This diversity, combined with the strength of varying local input in both houses, provides a balance of ideas that tend to slow the process down in the more controversial areas. This process requires consultation and compromise, and results in incrementalism — small, improving changes over a long period of time.

The legislature's growing awareness of its constitutional role as a coequal branch of government has caused it to provide itself with new tools to meet that responsibility.

Increased, competent staff, both loyal partisans and skilled nonpartisans, have been added to provide legislators with the information necessary to make reasoned judgments and allow them to be less dependent on the executive branch or pressure groups for the information necessary to make a decision.

Connecticut now uses a joint legislative committee system and a centralized staffing system with four functionally specialized, professionally staffed offices: the Legislative Commissioner's Office (bill drafting), the Office of Fiscal Analysis, the Office of Legislative Research, and the Office of Legislative Program Review and Investigations. In 1973, the legislature opened committee meetings to the public and provided a better, though still inadequate, hearing process. "It's a good bill and it ought to pass" used to be the sole rationale needed for a committee to favorably report a bill to the floor of either Chamber. Now, in the presence of the public, newspapers, and TV cameras, legislators are forced to act more on the basis of fact than on friendship. Legislators have to explain actions to constituents as well as to legislative colleagues.

Since voter apathy, a nationwide problem rather significant in Connecticut, is becoming serious now, the communication of what the legislature should do and what the legislature is doing is important. Because perceptions are as important to our success as realities, I consider this a key area of concern now and in the future.

We still have a long way to go in streamlining our procedures. The lengthiness of our deliberations, the chaos of holding too many hearings and sessions frequently at the same time, poor hearing procedures, the

unreasonable number of committees and thus committee assignments — often to satisfy desires for power and prestige — all impede our progress. Good substance follows good form, and our form is sound as a sieve.

Consequently, legislative priorities still depend to a large degree on the influence of legislative leaders, of the well-staffed and funded executive, and similarly well-organized and well-staffed outside "special" interests.

Whatever the issue, government reorganization, tax reform, energy policy, criminal law reform, judicial reform — even the reform of the legislative structure, size and legislators' salaries — the impetus and the sustained drive for meaningful change have always originated from outside the legislature with some assistance from friends inside that coequal branch.

There has been some progress in the 70's, but no real change in the legislative climate.

Granted, there is less awe of the leadership. However, the chaos in our rules and working conditions, and the need to compromise in order to gain legislation important to the home district, too often win the battle against reform.

In the period between World War II and 1969 — in this national period of unprecedented economic growth — Connecticut's legislature joined other state and local legislative bodies in carrying out the commitment to do more. The well-recognized and politically safe theory was that if everyone got what he requested, complaints would be fewer. It worked. Incumbents had a field day — many field days. "More is better" fit well with those who got what they wanted; and it didn't seem to sit too badly with the taxpayers. After all, our standard of living was continually rising and inflation was a textbook word from the history books or from a magazine story on Asia, Europe, or South America. New programs were an instant hit although they were frequently a long-term failure. Candidates merely paid lip service to economics and promised more roads, schools, recreation facilities, services for young, old, needy, retarded, and any other group with a voice to make a request. The "political free lunch" became popular. Connecticut legislators differed in this respect from no one in any other level of government in any other state.

From the state's perspective, inflation wasn't all bad. After all, state income was up, and although we screamed about deficits, it was still more a slogan than a problem.

In fact, the legislature even added a few condiments to enhance our position with the voters. We took advantage of inflation's benefits on government income and we showed our complete ignorance — no one had a monopoly on the truth or ignorance — and **raised** our spending.

On occasion, we even lowered our tax rates at the very same time. That was free lunch, breakfast, and dinner.

In the early 1970's, economists warned against giveaway programs and spoke of impending inflation.

Shortly thereafter, reality — in the form of increasing inflation — in-

truded on our "free" lunches. We took comfort in the fact that it was a "big" problem and that the Congress and the president would therefore handle it. We continued with few changes.

The economists introduced another unfamiliar expression, "stagflation," and, low and behold, it was as bad as it sounded. Inflation pushes prices up, stagnation or recession pulls income down. Both took hold at the same time beginning late in 1972 and continuing through 1975, resulting in the proper coinage of the term "stagflation."

Now, our high spending, increasing each year in the tradition of adding to past programs and expenses, was becoming a direct and significant burden on the taxpayer. The recession reduced the increase in state revenues and the income of the taxpayer. The political consequence was that the taxpayer, the politician, and now even legislators, chanted in unison, "There's no free lunch." The loudest chanting candidates won in 1974 and 1976 and they are now making our laws. The main question we have to deal with is whether they now believe that resource-poor, energy-short Connecticut has a long-term engagement with the "there's no free lunch" phenomenon.

That's what it's all about today. Zero base budgeting, program budgeting, sunset laws are the new legislative terms, designed to tell us that we understand we're in a new, long, dry spell when the budgeting side of our legislative priorities is as important as anything else we can do.

In order to lend more predictability to state finances, Republicans suggested zero base and program budgeting which would provide cost/efficiency comparisons now lacking. The reforms would require examination of all, not just increased spending, and budget reorganization on the basis of programs instead of agencies to better determine their productiveness.

The Sunset Law, a highlight of the government reorganization package passed this session, will terminate boards and commissions after five years unless it is demonstrated they are still efficiently serving the public.

My own view is that we need not tax what we don't spend. Mechanisms to control spending are more essential to Connecticut than to the sunbelt states or the mineral rich states. They are the remaining opportunity to find money for programs in vital human service areas such as mental health, education, transportation, and the arts.

The need for these services and the state's involvement in their delivery will remain. The form our role takes, however, may change. The funding mechanisms will in large part come from taking payment for the free lunches of the 50's or 60's — programs that by today's test of need and the ability of the community as a whole to pay — which don't measure up and must be cut back or discontinued.

The next five years will find us recognizing the challenges earlier seen by Governor Brown in California and others. Lowered expectations by constituents are more to be hoped for than expected.

It is up to the legislators to get the "free lunch" message out. It has in effect become necessary, for the first time since World War II, for the

legislature to become the leader of this movement in tandem with the executive branch. Together, and only together, can they hold the line on budgeting — and in carrying out program evaluation.

But does this new lowering of expectations mean less legislative initiative? No! It emphatically means more. It means the legislature has to pick up the baton left by lobbyists for all things for all people and become the planner. Longer range budget forecasting and significant policy coordination of all department capital projections is a necessary legislative function. It has **never** been a part of our scene. The role of the legislature as the author instead of reactor is new. In reality, the legislature hasn't experienced it yet, but it's upon us by accident and not design.

Our internal procedures — including the earlier mentioned limitation on the number of committees — scheduling timely and well publicized hearings, coordinating hearings by both time and location for convenience to the public and the news media, will enhance our ability to inform and effect change in the public and the media perception of the worth of the legislature as a governing body.

The economy of this state is one of the most critical of problems. It will take job makers, encouraged by specific action and by increased communication and cooperation with labor, to effect changes that will produce a reasonable, long-term balance between service and manufacturing jobs in Connecticut. This will mean imaginative tax incentives. A new economic climate must be initiated to instill confidence in employers, present and prospective, that there is a permanent change of attitude in the legislative and executive branches of government.

We can learn from the states that successfully and aggressively sought to change their economics. A strong legislative staff effort is expected in search of ideas and alternatives in support of this legislative intent.

Connecticut is small geographically, sound economically, and environmentally healthy and improving. It is relatively free of corruption. Partisanship has not dominated the scene. We have a good and improving transportation network. We are strong in the arts and education — and Connecticut is strategically located between the important cultural and trade centers of New York and Boston. In short, Connecticut has more than hope on which to build its future.

The future, I believe, will see a new legislative concern for not only the relevancy of our various educational constituencies, but a redefinition of the mission of each. Clearly, the legislature should seek quality in Connecticut's higher education structure in creative ways, not merely in the public but in the private sector as well. The continued complementing of higher public and private education is one of the best nourishing natural resources we have, and apparently the legislature is lined up to view education as a long-term priority area.

This small, economically sound state we live in not only can, but must, support all of its 169 local entities in the broadest possible terms. The accident of our geographic local boundaries creates some problems, but

I see them as solvable, given the strengths of the democracies that thrive in that kind of atmosphere.

Our cities need our help. We now recognize that our larger cities' tax burdens affect us all. Decay in neighborhoods relates to crime in the suburbs. Most city jobs equate with increased welfare load and increased taxes to both the suburbanite and the business community. Education that is neither relevant nor adequate insures a future of poverty and burden on the individual, the city, the state, and the taxpayer. Most important, these failures increase the burden on the individuals who are often least able to deal with them.

Connecticut has been, and, I predict, will continue to be, a state which deals with human problems in significant and meaningful ways. In the past, we've used money to deal with them. New ideas and sharing of burdens will be necessary now, as well as in the future.

I predict a breakthrough in the next few sessions in job training programs for city dwellers, young and old. There will be more significant coordination and expansion of day-care centers near businesses and in tune with industry hours and locations. Vocational education expansion will be a positive factor in increasing opportunities for city and suburban youths.

Before any major tax reform will be acceptable to the voters or the legislature, I suggest that new spending controls will have to be implemented.

I do predict in the next few sessions a new look at not only state funding of local education with modest increases in total funding yearly, but significant formula changes. There will be a new recognition that communities that have the added burden to service tax-exempt facilities ought to have the benefit of sharing that burden more equitably with the state, and thereby the state's citizen, beneficiaries of those institutions.

Connecticut is in an energy short state; its cities and towns must have a statewide energy plan. Although we are generally at the mercy of the federal government in this area, we must not concede that we are without opportunity. Creativity in this area can help us be more self-sufficient.

The criminal justice system needs not only our attention but attention at the national level. We are no better or no worse than any of our sister states. We need a national commitment to provide speedier and predictable justice. This is perhaps the single most important issue that legislatures should address. The system must be tailored to command respect. It must be relevant to the 80's and beyond. There are no magic answers, but unless we search and find better foundations for our system of justice, the system will collapse and great economic upheaval will result. If I could wish a solution to but single major problem area, it is this one. In all other areas there is great disagreement but reasonable hope. In this area there is confusion and despair. It is our challenge and a national challenge. We cannot give it too early or too much attention.

The legislature will be judged on its handling of its economic responsi-

bilities and how the tax and spending packages favorably or adversely affect the economy of the state.

Connecticut's legislature is improving in promise and performance year by year. Its staff provides better and better tools for the work to be performed. The media provide a better view in greater frequency than in most other states. The process is reasonably wide open and viewable. It can be understandable with some modest changes in procedure. Then it will be relevant and possibly coequal. I can hardly wait!

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SECTION 4

THE POLITICS OF THE LEGISLATURE

CHAPTER 7

The Art of Compromise and Coordination

by
William A. O'Neill

William A. O'Neill of East Hampton, Connecticut, has been active in Democratic politics for more than twenty years. Owner of O'Neili's Restaurant in East Hampton, he has served six terms in the House of the General Assembly. In 1974, he received the Outstanding Legislative Leader Award of the American Legion. In this same year, he was state chairman of Governor Grasso's campaign. And in 1975 he became Democratic State Chairman.

The Art of Compromise and Coordination

Much publicity has been given to my dual role of serving as Majority Leader of the House of Representatives and as the State Chairman of the Democratic party. Wearing "two hats" is demanding but in no way is it incongruent. The two responsibilities are similar in many respects.

The Majority Leader of the House of Representatives is elected for a two-year term by his peers in a party caucus before the opening of the legislative session. I was elected Majority Leader in the fall of 1974 for the 1975–76 session of the General Assembly and again in the fall of 1976 for the 1977–78 session of the General Assembly. I was appointed State Chairman in the spring of 1975 by Governor Grasso after the death of the esteemed John M. Bailey and was elected to the position in June of 1976 by members of the Democratic State Central Committee (i.e., the governing body of the party in the state). Thus, the State Central Committee who elected me State Chairman and the Democratic members of the House of Representatives who nominated and endorsed me for a second term as Majority Leader felt that I was capable of handling the job as their Majority Leader as well as the chairman of their party.

It is an old adage that "politics is the art of compromise." Through my experience, I wholeheartedly agree but with one addition. In my dual role, compromise is extremely important but coordination is essential.

The coordination of my time into the two jobs, although demanding, is not difficult. The State Capitol is the focal point for political action during the legislative session.[1] I am, to coin a phrase, in the right place at at the right time. My predecessor, John M. Bailey, spent most of his time as chairman at the State Capitol during the winter and spring months when the legislature was in session. Thus, I have a head start. Not only do I spend all my waking hours at the Capitol during these sessions, I am in constant contact with the Democratic members of the General Assembly as well as the elected officials of the state. The governor's office, for instance, is right down the hall from mine.

When I am not in legislative session, I can devote more time to working in the "field." I tour the State to meet and work with my Democratic friends.

One of my chief obligations as Democratic State Chairman comes up during election time. Every year there is an election in November either on the municipal, state, or national level. During election time I offer my assistance to Democratic candidates throughout Connecticut. Much of my time is devoted to speaking for the Democratic cause and organizing Democrats into a strong coalition. These are similar duties to those accepted in my role as Majority Leader.

The role of Majority Leader is to act as spokesman for the rank and file. As one might suspect, this task requires prudent coordination especially with a hefty majority such as the Democrats had in the House during the 1975–76 and 1977–78 sessions of the General Assembly.[2] Compromise is

also important because the Democratic party is comprised of a broad cross section of the citizenry. This naturally tends to foster divergent viewpoints.

As the leader of the majority, I try to stay in constant communication with and be available to the rank and file so that I am able to vocalize the will of the majority. During debate on a bill of partisan nature, it is my responsibility to stand up and summarize the party's position outlining either the merits or drawbacks of a particular piece of legislation. It is the job of the Minority Leader to do the same for his party. Our remarks become a part of public record.

My role as spokesman continues into my position as party chairman. In this role, I speak for the Democratic party. My duties as chairman are more diverse predominantly because my constituency is more diverse. As Majority Leader, my first and foremost responsibility is to the Democratic members of the House. As chairman, my primary responsibility is to the 72 members of the State Central Committee who elected me.[3] Beyond this, I work, for example, with the town committees and their officers in the 169 cities and towns in the state. It is imperative that if the Democratic party is to be successful that I coordinate a concerted effort to link the various facets of the party into a harmonious unit.

In conjunction with these duties and in both roles, I maintain a working relationship with the top Democratic officials in the state. This includes the commissioners of our executive departments as well as the governor, the chief executive and political officer in our state.

It becomes clear that one of the rigors of my job as both majority and party chairman is to satisfy the various constituent units I must work with. They include but are not limited to: Democratic members of the House and Senate; the Democratic leaders of the General Assembly; the governor, the lieutenant governor and other top state officials; the members of the State Central Committee; the town chairmen and members of the town committees in Connecticut's municipalities; and top Democratic officials (e.g., mayors, council members) in our cities and towns.

It becomes evident, as I stated before, that compromise and coordination are essential. If one quickly glances at the above list, there is little question that conflicts are likely to arise among the constituent units in question. Although they are all components of the Democratic party, their priorities will not always be the same.

There is one constituent unit I have omitted from the list — rank and file Democrats. My relationship with and my responsibility to the 625,419 registered Democrats in the State of Connecticut is not as tangible as it is with the constituent units I have highlighed thus far. I feel a bond with Democrats throughout Connecticut whether I am fighting for social reform in the legislature or helping to establish the first presidential preference primary in the state. These are some of the concrete Democratic values in my estimation that rank and file Democrats relate to. Democrats

have a strong and proud tradition of serving people in need and providing a system of government sensitive to all citizens.

Political parties help elected officials who shape governmental policy to be responsive and responsible to the people. Because of this, I am an advocate of strong and responsible party government. The two-party system provides the cohesive element needed to make the machinery of government operate smoothly. In the legislature, the role of the parties is very important. It can be physically evidenced if one strolls into the House of Representatives and sees that the Democrats sit in a bloc on one side and Republicans sit in a bloc on the other side. There is a clear dividing line between the two parties, both physically and ideologically.

It is my responsibility as leader of the majority to encourage unity among the Democratic state representatives. I am spokesman for the Democratic cause. As such, I work diligently to see that legislation is passed which will benefit the people of the state in accordance with the goals of the Democratic party. The goals of the party are outlined in the party platform every two years. This important document represents a destination and contains a commitment to get there. It is this personification of Democratic ideologies which the people of the state can examine to determine the party's priorities. The voters are thus enabled to study the goals of the party and thereby make an informed choice at the polls.

The platform is an honest effort by the Democratic party to make clear priorities and goals for governmental policy. The people deserve to be informed of the expectations of a poltical party. Since being State Chairman, I have aided in the drafting of the platform for the 1976 election. I remember that the Republicans refused to draft a platform that year. In my estimation, they cheated interested voters of the opportunity to survey the goals of the Republican party. Those Republican candidates who were elected to either the House or Senate entered office with no party pledges to align themselves with.

The Democratic platform is not drafted by a close knit group of party leaders. It is drafted by a wide panoply of people throughout the political and nonpolitical world. A committee is established whose members are selected on a congressional basis (i.e., regional basis). We try to appoint a broad spectrum of the population to insure that the final product is representative of the total poulation of the state. Public hearings are held across the state at which time citizens are encouraged to voice their concerns so that they may be taken into account when drafting the platform. Finally, delegates to our state convention adopt the platform either in its entirety or with amendments.

Once the platform is adopted, Democratic candidates for office run on it. Once elected, a state representative or senator is encouraged to aid in the efforts to bring planks of the platform to fruition. Many bills are drafted based on the platform. In fact, approximately 70 percent of the 1974 Democratic state platform was implemented into law during the 1975

and 1976 sessions of the General Assembly. Party loyalty aided this accomplishment.

Party loyalty in the legislature is important if accomplishments are to be made and a record compiled. The 1975–76 and the 1977–78 sessions of the General Assembly were difficult in the sense of maintaining a close, cohesive unit of Democrats. There were some division and dissension within the Democratic ranks and between the governor and the legislature. Much of the conflict could be attributed to hard economic times we were facing in our country and state. Priorities had to be established which could accommodate the shrunken state treasury. As a result, not all legislators could return to their home districts with "goodies" as they might have promised during their campaign. Because of this, my job as both Majority Leader and State Chairman which is demanding to begin with became difficult at times. Party unity became harder and harder to maintain.

I believe in unity among party members especially during tough times. As I stated earlier, I am an advocate of responsible party government which political journalist, David Broder, describes in the following manner:

> The concept of responsible party government is not a complex one. Essentially, it suggests that there be a link between the voters and elective officials of our democracy, provided by the political party to which both give their support. But aligning those three elements, voters, officials and parties, in any stable arrangement has proved to be increasingly difficult.[4]

In my estimation, government works best when the political parties are working their hardest. And recently, with the decline in enthusiasm for organized political parties, government has been hitting some snags. It is my hope that in my dual role I will be in an advantageous position to align the elements and help to solve the problems. As I have shown, the jobs of Majority Leader of the House and Democratic Party Chairman are not incongruent. The two jobs are a symbolic embodiment of the party.

To encourage strong party government, we must first change the present day attitude against the political party. Aristotle made a good case for the political party long ago when he said:

> Observation shows us, first, that every polis (or state) is a species of association, and secondly, that all associations are instituted for the purpose of attaining some good — for all men do all their acts with a view to achieving something which is, in their view, a good. We may therefore hold (on the basis of what we actually observe) that all associations aim at some good; and we may also hold that the particular association which is the most sovereign of all, and includes all the rest, will pursue this aim most, and will thus be directed to the most sovereign of all goods. **This most sovereign and inclusive association is the polis, as it is called, or the political association.** (emphais added)[5]

If this can be accomplished, I am convinced that the two-party system will remain a viable entity in American politics.

FOOTNOTES

[1] During the odd-numbered years, the General Assembly is in session from January to June and during the even-numbered years, from February to May.
[2] There were 118 Democrats and 33 Republicans in the House in 1975–76 and 93 Democrats and 58 Republicans in the House in 1977–78.
[3] In accordance with party rules, two (2) people (one female and one male) are selected from the state's thirty-six senatorial districts.
[4] David Broder, **The Party's Over** (New York: Harper & Row Publishers, 1972), pp. 1–2.
[5] Ernest Barker, **The Politics of Aristotle** (London: Oxford University Press, 1970), p. 1.

CHAPTER 8

Responsible Alternatives and Just Criticism

by
Gerald F. Stevens

Gerald F. Stevens was born in Milford, Connecticut, where he attended local schools. He still lives and practices law there. Graduating from the University of Connecticut, he received his law degree from George Washington University Law School. Although very active in local affairs, he is serving his sixth term in the General Assembly. He was Republican House Majority Leader in 1973 and House Minority Leader in 1975–77. The state Jaycees awarded him the Outstanding Young Man Award. In 1977 he was a candidate for nomination by the Republican party for the office of governor.

Responsible Alternatives and Just Criticism

The role of the minority party in the Connecticut General Assembly is twofold . . . to propose responsible alternatives as programs to meet the needs of Connecticut citizens and to criticize the majority in order to hold the administration accountable to the citizenry.

During my eleven years in the state legislature, I have seen the Republican party function from both sides of the aisle. I served as majority leader for two years and I have been serving as minority leader since 1975. These positions have brought me close to the problems of the minority party and have exposed how the legislature functions as a political institution.

Since the reapportionment of the General Assembly in 1968, there have been two characteristics which seem to distinguish Connecticut from other legislatures. In this period, the average age of the legislators has fallen. The age of leadership has generally been in the range of 33 to 42 years. These are significantly lower figures than in almost every state in the country where the age is in the mid 50's to 60's.

The state legislature in Connecticut has become more visible and this has led to increased competition for seats. Those districts where one might safely sit year after year without challenge are few in number. It is also significant that Connecticut changed from a rural oriented legislature in the early 1960's to a more urban representation in 1966 as a result of the one man one vote requirement.

Another factor in the changing complexion of the Connecticut legislature is the coincidence of two statewide sweeps by differing political parties within a short period of time. I am referring to 1972 when the Republican sweep of Connecticut resulted in the election of 93 Republicans to the House and the corresponding defeat of many veteran Democrats. Nineteen seventy-four saw the opposite with the Republicans losing 60 seats in the House and the Democrats picking up those seats.

Another interesting and important difference between Connecticut and other states is that both parties, whether in the majority or minority, have the same year-round caucus budget. This means that the speaker has the same amount by which to run his office as the minority leader does. This practice is unheard of in other states and is an important distinction. Each party treats the other with respect whether they are in the majority or the minority. Because of this, I, as minority leader, have never had trouble influencing a nonpolitical bill. This is important to note because about 90 percent of the bills are nonpolitical while only a scant 10 percent are political in nature.

A political bill is one to which the political party is committed. This could be either through the party platform or a campaign promise of the governor. The most political bill of the session is the budget. Hundreds of political decisions are made concerning how the state will raise its revenues and how it will spend them. Despite the large number of

amendments introduced on the floor of the House, the bill usually remains the same as when it emerged from committee.

During the campaign of 1974, then Congresswoman Grasso made high utility bills a major part of her campaign for election to the governor's office. The governor gave people the distinct impression that if elected she would reduce utility bills. Obviously, that kind of campaign promise was impossible to keep. Much attention was centered upon the regulatory authority, then known as the Public Utilities Commission (PUC) which Governor Grasso labeled the villain in utility rate increases. In an attempt to follow through on her campaign promises, the governor pushed legislation, which passed, creating the Public Utilities Control Authority (PUCA) as the regulatory body in place of the PUC.

The minority party in this or any other legislative session has two distinct functions. The first function is that of a critic to the majority. For example, in the spring of 1976 Governor Grasso and the Democratic legislature passed her famous 13-month tax year bill. It was the obligation of the minority party to point out this budgetary gimmick. In any process that affects people's lives, constructive criticism plays an important role. By criticizing the programs of the majority party, legislators are made accountable. This is especially important in the 1970's, as the media are truly unable to keep members of the majority party accountable on a daily basis. While there is coverage on the major issues, there is no one to hold them accountable for everyday legislation. An effective minority deprives the public of both sides of an issue which is important to have when decisions are being made.

It is also extremely shortsighted of the minority not to criticize the majority because the minority party is always attempting to become the majority. If the members of the minority party have not been laying the groundwork through effective dissent, then it will be difficult for them to win the support of the voters in the next election.

The second function of the minority party is to offer positive programs to correct the problems that exist. The minority must seek out the major issues that are affecting the state and propose constructive policies and programs that will seek to solve these deficiencies. An example from this year's session is the Jobs Program. In 1977, the Republicans determined that a major problem in Connecticut was unemployment. We felt that there was a poor economic climate in the state that discouraged employers from locating here. We devised a multifaceted program that would, over a 3 to 5 year period, help alleviate some of these problems. Our call for adoption of this program forced the Democrats to formulate their own program which included many of our recommendations. This shows that when the minority party is doing its job in an effective manner, it can get the majority party to endorse and help pass many of its proposals.

The primary objective of the minority party is to build a legislative record which the party can utilize in the next election. However, it should

not wait specifically for the next election, but the party should use its achievements for partisan purposes during the session.

It is also the job of the minority party to monitor the activities of the other side. This should not only be on general issues but they should keep track of the individual stands and voting records of the incumbents in those instances where the incumbent might be taking a stand contrary to that on which he or she had campaigned.

In performing these tasks, the minority should try to deal with all legislators, regardless of party, in order to develop and pass the best legislation possible. An important part of this is dealing with members of the majority party on programs that should exist, even though they may not have the support of the leadership. When this occurs, the legislature, in my opinion, is performing a truly independent function.

One such issue where we are trying to help out is on the needs of the inner cities. The legislature has been called insensitive to the needs of urban areas. This session the urban people have been trying to no avail to get help from the Democrats, so we have tried to help.

The legislature is a composite group of all types of citizens and thus must fashion a policy to suit them. In urban issues, Hartford City Councilman Nicholas Carbone has become a spokesman. Many legislators agree that our cities need help quickly. The lack of jobs and housing deterioration are the roots of inner city decay and are needs which must be addressed. Through our efforts, the cities will get some help and their needs will be addressed. They will not be done as quickly as the urban people desire, but such is the nature of the democratic process.

The Connecticut legislature currently is divided into two parties. They operate in a caucus system where each party meets in order to discuss both legislative and political issues. The Republicans try to meet once a week in order to discuss the issues before us. My own feeling is that we should try to form a caucus opinion whenever possible. While we do decide on a caucus opinion by a majority vote, I feel no need to get a unanimous position by the caucus where serious opposition exists.

It is the right of any legislator to oppose a bill, and I am not one to threaten or strongarm them into seeing things my way. In my opinion, the days of threats and strongarming are over because the threatened legislator can go right to the press and become an instant hero to the public; this makes the threat-wielder seem ridiculous. Legislative independence is important because votes should be on the issues, not political threats. The days of a "John Bailey" rallying the troops in caucus and then marching them out to vote in the specified manner are over.

As far as mavericks go, I feel that they are generally good for the system. The biggest mistake any leader can make is to single mavericks out and/or exclude them from the caucus. This only emphasizes a cause and gives more for them to crow about. If you let them go on their own way, they will make some friends and some enemies.

While we do have a good relationship with our state central committee

and chairman, there is no mandatory way to vote. We may confer with them on the issues, but there is never an attempt to foster political positions on members of the legislature. As I mentioned previously, the days of a party chairman dictating legislative policy are over because members are younger, not as loyal to any political machine, and not totally dependent on any state organization to get them elected. The individual representative depends on getting elected in terms of his or her own popularity in the district.

However, this is not to deny the necessity of a state political organization. The Republican state organization is important because that is how we in the legislature can translate information and positions that are to be passed on to towns to have an impact in the next statewide election. The party must have lines of communication between the state central and the local town committees, or they are not fulfilling the political role of the party. Thus, while the state organization is not as all encompassing as it once was, it still maintains a significant position.

Elected members of the General Assembly of one political party and its state central organization can form a working partnership for the purpose of getting reelected and electing additional legislators of that particular party. We have set up such a relationship with the Republican state central committee under our Chairman Fred Biebel. We have divided responsibility in the election area. The Republicans in the legislature will research issues, develop Republican positions and a record which forms part of the party's campaign effort in the next session. We also develop background files on incubent Democrats in districts that we hope to win back in the next session.

The party organization has an important part to play in this effort. It is the party organization that is best equipped to communicate with the state central committee people and town chairmen in particular legislative districts. This often is done by holding meetings in senatorial districts where the legislative leaders and state chairmen will bring the town chairmen, state central committee people, legislators, and interested Republicans up-to-date on the present legislative session and our plans for campaigning in the next statewide election. This permits a discussion of key issues that might affect that district and how the particular legislators from the opposite party in that district are performing in the General Assembly.

During the campaign period state central has provided funds to Senate and House members and candidates with staff to assist them in specialized areas such as public relations. In the 1976 campaign Senator Lew Rome, my counterpart in the Senate, and I did statewide radio commercials stating the importance of electing a Republican legislature. This was done in cooperation with the state central committee and played a large part in the significant increases that the Republicans made in the 1976 election.

I feel that the party platform is going the way of the Edsel. Platforms, in my opinion, are things of the past, and that is good.

In 1976, the Republican party in Connecticut did not have a traditional

party platform in which the party addressed itself to the needs of the voter in the state. In this age of political creditability, we as legislators are trying to revive a reputable image. It is a sham to make voters believe that you can accomplish all of these acts. All you are doing is raising people's hopes.

Traditionally few elected officials adhere to the planks or listen to them. Besides this fact, the plaform prohibits the candidates from taking legitimate and realistic stands on the key issues that affect people's lives. That absence of the platform would make it much easier to discuss the real issues involved. It is the latter point that is important and is what we as politicians are trying to point out to citizens. Issues, not promises, should be discussed in campaigns.

One of the strongest functions of political parties still remaining is the practice of patronage. The patronage at the Capitol is divided between the parties on the percentage of party dominance. At present, this means a split of about 60–40 in favor of the Democrats. However, as far as the Republican party is concerned, the practice has undergone an alteration.

For candidates seeking sessional jobs, we now require interviews of potential applicants and hire active Republicans on a merit system. This insures that the Republican legislators will be well served by those in our employment.

In the past, sessional employees may have worked only a few days a week, if at all, which resulted in less work for the money. One innovation that we required was work five full days a week. While this is still patronage in that we hire Republicans, they are well qualified and committed people.

Because of our requirements, the staff does a good job, and the Republican representatives are often better served than their Democratic counterparts. While we have not altered the practice of conferring with our state central committee, it is patronage with the emphasis on dedication and ability instead of favoritism. This certainly is an improvement for the system.

The future of the Republican party in Connecticut could not be better. After the disastrous showing in 1974, many people thought that we were dead, but after a good revival in the 1976 election, I am very postive about our future. In the 1976 state elections we picked up 25 seats in the House and doubled the number of State senators from 7 to 14. Significantly many of the Republicans elected to the House for the first time had backgrounds in local government. This made them contributing members of the legislature at an earlier date than might otherwise be the case. They knew and understood government and became active participants at the state level.

I am an optimist about the Republican party in Connecticut; and I think my optimism is well founded. The 1978 state election will be the first time since 1966 that we will be electing a governor and legislature without a United States senator or president on the ballot. That means it will be a

state election and state issues will be in the forefront. The record of four years under total Democratic control and the shortcomings of that record will be the primary issue debated throughout Connecticut. Equally important is what lies ahead for Connecticut over the next four years and the Republican positions: the need for more jobs; better housing; improved transportation systems; the energy crisis — all of the issues that are addressed to the needs and concerns of the people of this state.

I believe the Republican party will do well despite the continued presence of the party lever on the voting machine in Connecticut. The party lever has outlived its usefulness, if it ever had any. Attempts to remove it have been routinely beat back by strict party line votes with Democrats voting against removal and Republicans voting for it. In 1973 when the Republicans had the majority in both the House and Senate a constitutional amendment to remove the party lever passed by well over 50 percent, but unfortunately by less than the three-quarters necessary for a constitutional amendment. Abolition of the party lever would make voters cast a ballot on an individual basis for each person on the machine. That would lead to a better understanding of the background of the individuals who are running for each office. Despite the party lever the record of ticket splitting in Connecticut is good, and I do not think the party lever is an obstacle to a Republican victory.

Our performance during the past few years in the minority and the proposals we have made will be graded in their effectiveness by the voters. I believe we have addressed the responsibility from both sides of the coin. Our programs have been positive, well researched, and well expressed; our criticisms have been sound and responsible.

SECTION 5

THE PROCEDURES OF THE LEGISLATURE

CHAPTER 9

Legislative Oversight: The Neglected Legislative Function

by
Howard Klebanoff

Howard Klebanoff is a graduate of the University of Connecticut Law School who lives in West Hartford and practices law in Hartford. He was State Representative from Hartford during 1969–1972. He now serves as Chief Counsel to the Senate and House Majority. He has received awards from both the Eagle Institute of Politics and the Connecticut Caucus of Democrats as The Outstanding Legislator. He has chaired many legislative committees including the Education Committee. He was cochairman of the Commission to Revise and Recodify the Education Statutes of the State of Connecticut. He has lectured on the topic of parliamentary procedures.

Legislative Oversight: The Neglected Legislative Function

Legislative procedures are very important in all aspects of the legislative process. This became clear to me not only in my current post of Counsel of the Democratic Majority, but in my tenure as an elected representative as well. I served in the House for eight years, with six of those years being spent deeply engrossed in the affairs of the Education Committee. During those years, I spent four as chairman and two as ranking member on the committee. It was here that I learned the importance of parliamentary procedure, legislative rules, and legislative evaluation.

The legislator has three primary responsibilities in his or her role: representing his/her constituents, lawmaking, and legislative oversight. The first task is a fairly easy function which usually amounts to cutting through the red tape of the bureaucracy. It means being the one to open doors to people who had been closed out before. Included in this responsibility is the necessity to keep your constituents informed, either by sending out information or questionnaires to those in your district, or by simply keeping in touch with them to find out what they are thinking.

Lawmaking is the function that most legislators regard as most important. Most legislators, I believe, judge themselves by this function. Their self-evaluation is based upon what legislation they have introduced and whether or not it was enacted. When running for office, legislators often bring out the list of bills they introduced and feel important if they can state that they helped get a piece of legislation passed in response to a particular problem. The difficulty with lawmaking is that it breeds a feeling that laws are self-fulfilling. Lawmakers have an unfortunate tendency to enact all types of laws in various areas without following up by going outside the legislature to find out whether these laws are working and meeting the needs of the citizens of the state. They are also careless in seeing if the programs enacted are being properly administered by the agencies to which they are assigned. Finally, they often neglect to see if the law itself is useful, or even needed, as there may be a similar law already on the books. This is why the third function, legislative oversight, is needed.

This is a very difficult and time consuming function for legislators because while the average legislator is capable in the short run, he often lacks the foresight to look into the future and recognize upcomng problems. Very often, a new law that seems good at the time may not be needed. This is because lawmakers are infused with the feeling that when something goes wrong, there ought to be a law to correct it. But, it was once pointed out that in an average year there are about 250,000 bills introduced and over 50,000 bills passed nationwide. One solution which has been suggested is that each legislature should introduce one bill which would state that no new laws would be passed until it could be discovered whether the old laws were working.

I personally find the function of legislative review and oversight very

exciting and stimulating. However, some of the difficulties with this job are a lack of training, staff, and time in a legislative session to deal with problems. In addition, a legislator who has worked very hard on a particular program is not going to stand by and watch a group of legislators dismantle it. This last factor can cause a great deal of friction in the General Assembly.

The Education Committee exercised its powers of legislative oversight in the past. When we were fortunate enough to have the staff of the Eagleton Institute of Politics assist us, we were able to do extensive research and make sweeping changes in the areas of special education, state aid for the disadvantaged, and financial aid. It was the initial evaluation of special education that caused the legislature to form the Program Review Committee. This committee is a full-time, ongoing group, that selects various programs to review and evaluate. The Program Review Committee was created by the legislature over a gubernatorial veto. This group has shown the legislature where gaps existed in various laws, or waste in given projects, or even where additional funds were needed to be spent to make a program worthwhile. This review process was successful in obtaining money for some of these programs, even in the tightest fiscal year.

Connecticut is a part-time legislature, meeting only part of each year. Certain legislative procedures make it easy for a legislator to perform the lawmaking task. The Legislative Commissioner's Office will draft bills for legislators and the Office of Legislative Research will compile information on almost any subject. Likewise few constituents really follow a legislator's record to see how he or she voted on a given bill, or more importantly, whether the legislator really fought for it in committee. For example, many legislators may tell a legislative committee to box a bill in committee because if it comes out of committee and up for a vote in the House or Senate, they will have to vote for it. Likewise, Connecticut has no sanctions against absentee legislators, like in Kenya where if a member of parliament misses a certain number of votes, his seat is declared vacant and a special election is held.

I do think that the procedures that exist have a profound effect on the legislature's ability to perform the oversight function. Because the legislature is only a part-time body, legislators come into session only to face an onslaught of bills in a short period of time. Under the present time stipulation, it is difficult enough to perform the legislative duties of passing or rejecting legislation without getting into the oversight function. A few committees have tried to get full-time staff in order to deal with a limited number of issues on a full-time basis. However, our part-time role with part-time staff causes us to suffer greatly.

There are valid arguments on both sides of the issue of a full-time legislature. I believe that it would be ludicrous to expect Connecticut legislators to work full time without a significant increase in pay. The problem that develops here is, would such professionalism and cronyism exist so as

to destroy the concept of the "citizen legislature" and move it into the realm of a "professional legislature"? However, I do believe that Connecticut will not pay its legislators enough to make it any more "professional" than it is now. Most of the people who serve are concerned with doing their jobs, and often at a considerable personal sacrifice both in terms of finances and of personal time with their families. Yet, many individuals particularly among low-income groups are unable to participate because of the low pay. I do believe that the legislature should reevaluate its pay scale upward. In this way, legislators could, while either in session or doing interim work, concentrate on that work without having to tend to personal needs and/or business interests.

With the exception of leadership and committee chairmen, the "average" legislator is working under atrocious conditions where he or she has no staff, little office space and, in general, conditions that are not conducive to conducting proper business. Congress, on the national level, has certainly shown that it is more than able to take care of itself. They, along with other state legislatures, provide adequate, private office space, staff and accommodations that enable the members to develop the proper legislative facilities. This is very important to make note of.

In relation to the question of rules and procedures involved at the legislature, something we must be aware of is that the Connecticut State Constitution in Article 3, section 13, allows the legislature to set up its own rules. In just about every state there is a consitutional provision similar to Connecticut's Article 3, section 13. The General Assembly does set up its own rules in Connecticut, which are different from **Robert's Rules of Order**. It is important to do so because the latter deal with a general parliamentary body, whether it is a small town meeting or a large body, while the former must be specific enough to deal solely with the Connecticut General Assembly. Further, **Robert's Rules** do not deal with the specifics of the legislative process such as how many times a bill needs to be read into the record, or committee work. This is why most legislative bodies do use other manuals of procedure such as **Mason's Manual**. In addition, there are state statutes that deal with specific aspects of the legislature. Thus between the Constitution, statutes and legislative rules, the General Assembly has the guidelines in which to function.

In my current post of General Counsel to the House and Senate Majority, I am often involved in interpreting the rules and statutes, and many crucial questions arise as to the validity of a statute or the advisability of following a certain precedent. Since there are considerable gaps in the rules as they exist, when a key question arises, even in the middle of House debate, the legal advisor is often summoned to help make a ruling. He is asked to help the majority leader decide whether an amendment is germane or should be allowed on the floor. A well publicized example during the 1977 legislative session was on the bottle bill; whether or not the bill was properly presented before the legislative body.

In looking at legislative procedures, there is wide leeway for partisan

politics to exist. It is an accepted fact of life which exists as part of the political process. Despite partisan politics, I believe that most legislators treat other legislators with respect. However, this in no way means that there is never a time when partisan politics do not control. The party caucus is used to inform legislators that certain bills are favored by the leadership or are part of the party platform. At these times, legislators of each party are polled to determine how they will vote; and this process often governs the result. Votes can be delayed or hastened in order to insure passage of the bill. Any legislator who can master parliamentary procedure will certainly be at an advantage in controlling the fate of many bills. For example, when I was chairman of the Education Committee we had a vote in committee on teacher tenure, and the vote was to revoke the tenure laws. The majority of the committee was opposed to this action but very few committee members were present. Accordingly, we had one member of the committee vote in favor of repealing the tenure law in order to be on the prevailing side. Then when we recessed for lunch, we quickly rounded up our committee members. When we reconvened in the afternoon, the members who voted on the prevailing side moved to reconsider our action on repealing teacher tenure. With all the committee members there, the motion carried and we revoked our earlier action and thus did not change the teacher tenure laws. Often legislative leaders give clues. If a vote is close, the Speaker says, "I am in doubt." This is a signal for the majority leader to ask for a roll call vote. This maneuver then forces an announcement to be made, and the "troops," meaning legislators of the majority party, return and vote with the leaders for or against a proposal. Thus, in this way, a voice vote that may have gone one way could be switched in the other direction.

Legislative procedures are based on who speaks to whom. Many times the Education Committee felt that it was necessary to work with the leadership on legislation. An example of this relationship during the 1976 legislative session occurred with the School Finance Bill. Those of us on this committee had to use many gimmicks and legislative procedures to get this bill passed. We also had to resort to partisan politics. A little background is necessary. When a commission was put together to study the problem of financing Connecticut's public school system, little research money was appropriated and appointments were delayed, so that little could be done. Finally, a commission was put together and with the staff and funding supplied by the National Conference of State Legislatures, we were able to study the problem of school finance. In doing so, we undertook legislative evaluation and found many problems that existed within the system of school financing.

Once we obtained the facts, it became clear that we did not have the support necessary to solve the problem alone because of its complexity. To combat this political problem, we immediately enlisted the aid of leadership. By keeping the House and Senate leaders informed we increased coordination between the two houses as well as improved the likelihood

of passage for the bill by making the leadership feel that it had participated. Another tool we used, and which has been used more and more, is the coordination of various committee chairpersons. By realizing that under Connecticut's rules, expenditure bills must go to the Appropriations Committee and revenue raising bills must go to the Finance Committee, we were aware that we should immediately tie in the chairpersons of those committees. However, in order to develop our procedures at this point, we acted in a totally partisan manner and included only the Democratic chairpersons. Finally, we released the data that had been accumulated by computers and forced individual legislators to take a stand on the issue. By showing what each town would gain or lose in state aid through a given plan, the legislators could make an open and intelligent decision to support or oppose the bill based on whether their towns would gain or lose money. In a bill as political as this one, concrete figures became the catalyst for passing the bill. Finally, since the Democratic platform dealt with the issue favorably, we called the Democratic members of the committee into a private session and asked for their support.

The above example is one of the few times in my tenure on the Education Committee where partisan politics were brought to bear on a vote. In general, committee work is extremely bipartisan. It is only on the really key issues particularly involving money matters that the parties resort to pressure techniques.

Over the last ten years there have been many significant changes in the Connecticut legislature. We have gone from annual to biannual sessions and pay has increased. However, the exciting changes have been the creation of the Office of Legislative Research, the Legislative Commissioner's Office, the Program Review Committee, increased staffing for the legislature in general, as well as the use of computers to store and recall information, and the general degree of openness in government. These actions, along with the general use of automation at the Capitol, have all been major steps forward, and have helped improve the general workings of the governmental process.

I think over the next few years we definitely need to improve legislator's office space and salary. We also need to make a determination as to whether committee staff should be partisan or professional. This is something that fluctuates from state to state. In California, the director of staff for the Education Committee is a full time professional, whereas in Connecticut, the committee staff changes as chairmen do. In the latter case there is a great deal of loyalty to the chairmen, which can be an advantage. Nevertheless, often when the chairmanships change, there is a lack of continuity between the two teams. When chairmen change, staff changes. This creates a great deal of unnecessary work as new staff has to reach the level of expertise which the departing staff had attained.

In discussing the standards that should be used to evaluate the current procedures in the legislature, one factor I like to use is the openness of the process. I have long been an advocate of open government. In fact,

the Education Committee in 1976 was the first committee to announce that all its meetings would be open and the votes of its members would be recorded and made available to the public. This step was taken before any laws were passed requiring open meetings. Many times an individual may disagree with his or her legislator on an issue, but if the system is open, the voters can hold their legislator accountable. With open procedures, meetings at which citizens may attend, and recorded votes, constituents can have a true picture of how their legislators feel on issues, how they have voted, and how effectively they have done the jobs they were elected to do. I think this goes a long way towards making the General Assembly a more accountable body.

My own preference would be to see the legislature become a full-time body. I think in this day and age of complexities, it is totally unrealistic to think that legislators can do a decent job in a part time session. At present, few legislators have the commitment or the ability to give the time necessary to the job. Most legislators are constantly trying to serve two masters and are torn between their elected duty and their business responsibilities. In this situation, they are serving no one well. I think this a very unfortunate situation to be in in the 1970's when the pressures of the economy and other aspects of our society dictate complex and well thought through proposals and solutions. It is detrimental to all when these solutions cannot be arrived at, yet under the present situation, it is impossible to expect it to be otherwise. A proposal for a full time legislature necessitates another proposal — an increase in pay as I discussed previously.

As far as Connecticut's procedures go, I would rate them about average in effectiveness. Certainly there are many states with procedures that look very bad when compared with those of Connecticut, but on the other hand, there are those states with a full time, better paid legislature that make us less effective. In general, our rules and procedures are good, but there is always room in any system for improvements. When a system affects people's lives, that system can always be improved. Connecticut is no exception to this rule.

CHAPTER 10

An Alternative Model

by
Russell Post

Russell Post is a graduate of Yale Law School who lives in Canton and practices law in Avon. He was elected as a Republican to the General Assembly in 1972 and served as chairman of the Energy Subcommittee and Inland Wetlands Subcommittee. He is best known as the sponsor of such legislation as "The Bottle Bill," "The Sunshine Law," "The Chronic Crooks Bill," "The Sunset Law," and the proposal to reduce the sales tax.

An Alternative Model

The Importance of Legislative Procedure

The Connecticut State Legislature will debate the great issues of our day. For those who want to participate in the process, the State Capitol is the arena where the debates will take place and the decisions made. The actions of the State Legislature will determine how people in Connecticut will live.

However, many of the decisions will be made before the debates take place. Many of the decisions will be made outside the State Capitol. For those who wish to shape the future of Connecticut and influence government action, it is essential to understand how and why such decisions are made.

There is no question about the power of political leaders, the importance of committee chairmen, the clout of the majority party, the impact of a governor's proposal. Those who can count on political insiders, can often get results. For the rest of us (and as a member of the minority party, thus includes me), we must find additional ways. While there is no substitute for good ideas and hard work, an understanding of political procedures is valuable. For those who plan to become involved, I offer two principles, one proposal, and one case history.

Principle No. 1: Don't be too logical. Politics is not logical.

Logic is the analysis of a problem, the development of alternative responses, and the selection of that course of action which over the long term is most likely to resolve that problem. Politics is the analysis of a problem, the development of alternative responses, and the selection of that course of action which by the next election is most likely to lead to reelection. Sometimes the two produce identical decisions. Often they do not.

For example, Connecticut has a transportation problem. Logic suggests that Connecticut needs a public transportation system that is comprehensive, efficient, quick, clean. Such a system will reduce air pollution, convert city parking areas into more useful purposes, provide easier and faster access to the city, and conserve energy. But such an approach ignores the politics of such an issue. Federal, state, and local government each compete for more money and more control. Local communities vie with each other for domination of any regional transportation authority. And, significantly, special interest groups including the automobile industry and highway makers feel threatened by any conversion to public transportation. Political considerations have led to inaction because decisions will tend to alienate political leaders and special interest groups. Such alienation is a threat to reelection.

We have an energy problem. Logic suggests that a free, unregulated energy market will provide incentives for smaller cars, home insulation,

and energy conservation — but politics dictates cheap electricity, subsidies for energy, and regulation of oil and gas. Legislators reflect what voters want and voters want cheap electricity and cheap gas. The long-term consequences of such decisions are lost in the short-term political reward for those who advocate such policies.

We have a job problem. Logic suggests that we should encourage those with capital to invest it in Connecticut. But politics has led to a tax policy discouraging the investment of capital in Connecticut (the dividends tax is described as a tax on the rich and that is deemed politically "safe"). Politics has led to the enactment of labor laws and consumer protection regulations which sound good to the union worker and the consumer but which also discourage the investor from choosing Connecticut as a place to do business. (Why has Connecticut had laws providing unemployment compensation for those who voluntarily quit their jobs?) There are a lot of union workers in Connecticut and a lot of consumers in Connecticut (and more of them vote than those who decide where the capital should be invested).

Thus it isn't enough to be logical and right. It isn't even enough to convince a legislator you are right. But if you (1) convince the legislator that you are right and (2) convince the legislator that the voters think you are right, then chances for successful outcome are greatly improved.

If you believe that the Legislature acts logically, you are in danger of becoming frustrated — always believing you are right but rarely influencing the outcome of government action. If you understand that the Legislature acts politically, you can affect legislative decisions. If you are one of the few who can combine the logic of what must be done with the politics of what can be done, you can become a leader of state government.

Principle No. 2: Don't overlook the power of special interest groups. They can control the State Capitol.

Each of us belongs to a number of special interest groups. They come in all sizes and shapes. They have infinite purposes. Some are organized, others are not. They include state employees, sportsmen, labor unions, welfare moms, gas station dealers, the League of Women Voters, and hundreds more. Some hire lobbyists to present their viewpoints to politicians. Many do not. Most special interest groups exist for nonpolitical purposes and spend little time attempting to influence the State Legislature. But step on their toes, oppose action that the group considers to be a threat, arouse them into action and they become powerful political forces. Anyone who attends public hearings at the Capitol can often tell what issues are being debated by the special interest groups present at the Capitol. On some days, a dozen or more organizations urge their members to make a strong showing at the Capitol, creating comic situations as legislators get trapped in the hallways trying to go from room to room.

Special interest groups can make a legislator extraordinarily uncomfortable. Presented with a proposal to change special education grant formulas

and faced with hundreds of parents of the mentally retarded who feel threatened by such a proposal, a legislator becomes very cautious. No matter how earnest, logical, correct, or valuable a proposal may be, it may not pass unless you have made an attempt to identify and respond to the special interest groups that line up on each side of the issue.

Proposal: Reverse the traditional lobbying process.

Special interest groups sometimes attempt to initiate legislative action. They may hire a lobbyist to represent their views at the State Capitol. The lobbyist attends public hearings to state the case for the proposed legislation. Theoretically, legislators will then be persuaded to vote favorably on the proposed law. But public hearings are poorly attended. Legislators serve on several committees which frequently meet simultaneously. Furthermore, legislators may wish to attend other committees which are considering key proposals. Finally, committees faced with hundreds of proposed laws, may schedule numerous important proposals for the same day. Thus the spokesman for the special interest group may end up presenting his case to a small fraction of the committee hours after the hearing has started — and those still attending may already have committed themselves on the issue.

But the process can be reversed. Rather than an idea coming from a special interest group through a spokesman to a public hearing and then to a legislator at the Capitol, take an idea through a special interest group to the people locally and then to the legislator at home. A proponent of legislation can, in this way, identify special interest groups who may become allies in his cause. That proponent can then organize the members of such organizations locally and persuade them to contact their own legislators at home long before the public hearing process has been completed. In such a manner, legislators can become anxious or at least willing to vote for the proposed legislation.

Case History: The Bottle Bill.

A proposal that has been gaining steadily over the past few years is commonly referred to as The Bottle Bill. Though originally proposed as a way of dealing with litter, it has become the focal point for those who believe that Connecticut must turn away from wasteful systems.

We have an energy problem, a litter problem, a shortage of natural resources, a garbage problem, a tax problem, and a rising cost problem. We have a throwaway system in Connecticut whereby every bottle or can used for soda or beer is used but once. More than two million such containers are thrown away in Connecticut every day. It is an extraordinarily, intentionally wasteful system. Common sense tells us that reusing such containers would save energy and natural resources, would reduce garbage, and would be cheaper. If a value were put on every container (a deposit of 5¢), bottles and cans would no longer litter the streets and taxes currently wasted to pick up such litter could be saved. Logic leads

almost everyone to the same conclusion — a deposit on bottles and cans used for soda and beer would benefit us all. Thus was created the Bottle Bill — a proposal requiring a minimum 5¢ deposit on every such container. But politics is not logical and therefore the Bottle Bill is not yet law.

Legislators are hesitant to vote for the Bottle Bill. Special Interest groups oppose it. Labor unions, can makers, bottle makers, package store owners, grocery store owners are all threatened by it. Aroused by the proposed Bottle Bill they storm the Capitol with lobbyists and urge all legislators to vote against it. It is not comfortable to oppose the labor unions and the other special interest groups. Legislators look subconsciously for an escape and develop reasons for voting against the Bottle Bill ("Let's study the Oregon experience further" or "Let's tackle the whole litter problem at once" or "Some people at the bottle making plants may lose their jobs").

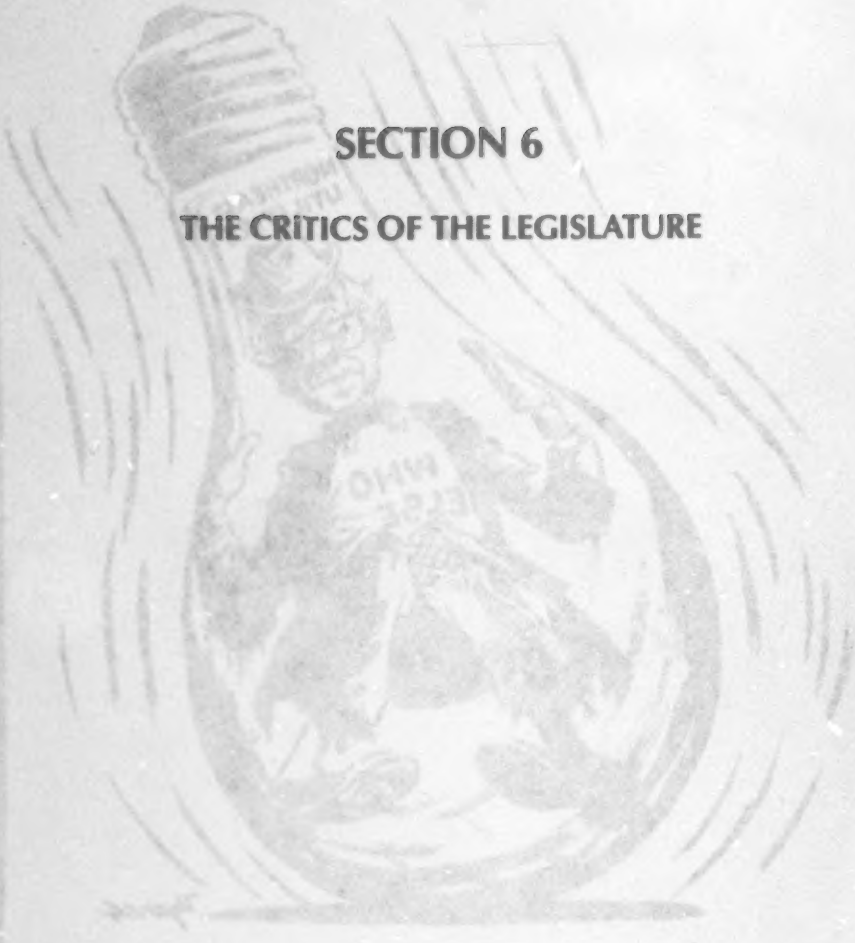
But there are many special interest groups who will support the Bottle Bill. These include the League of Women Voters, the Connecticut Citizen Action Group, the Taxpayer's Association, environmental organizations, Sportsman's Club, the Jaycees, garden clubs, the Grange, the American Automobile Association, senior citizen organizations. If the members of these organizations convey their support for the Bottle Bill to their own legislators at home, the balance of power will change. Spokesmen for such organizations following traditional patterns of sending a speaker to public hearings at the Capitol may have little impact — but members of such organizations who develop widespread local support can have an enormous impact. When legislators find it comfortable and popular with their own voters to support the Bottle Bill, it will become law — and that day is rapidly approaching.

Thus the two principles and the one proposal are at work: (1) the debate will not be resolved by logic alone; (2) powerful special interest groups are working desperately to preserve the current throwaway system; (3) the Bottle Bill will become law as the reverse lobbying system persuades legislators at home that their own constituents want it.

Politics is viewed by some as a game, by others as an art, by others as a profession. Whatever the view, whatever the goal, whatever the issue, if you want to influence the outcome, understanding the political process is essential.

SECTION 6

THE CRITICS OF THE LEGISLATURE



CHAPTER 11

The Citizen and the General Assembly

by
Marc Caplan

Marc Caplan is a graduate of Columbia Law School who was active in various political campaigns in New York. He joined the New Haven organization of Ralph Nader in 1972 where he conducted the fight against lead paint that was poisoning children and became Executive Director of the Connecticut Citizen Action Group in 1974. His main interest has been the accountability of public officials. He was one of the leading sponsors of Connecticut's Freedom of Information Act.

The Citizen and the General Assembly

The setting is a hearing room in Hartford where the Banks Committee is holding a hearing on a complicated and technical bill concerning mortgages. First, the lobbyist for the state Banking Association tells the committee how extremely important the bill is to the financial stability of the banks. He is followed by the vice-president of a large state bank who makes the same points. Then a parade of other banking lobbyists breeze their way through canned testimony. In the corner, several lobbyists joke familiarly with committee members. No one is there to represent the interests of the public. The atmosphere is sleepy, the outcome certain. An hour later the committee votes out the bill, written by a high-priced banks lawyer, which the public knows nothing about and which will mean higher profits for the banks at the expense of consumers.

Contrast this scene with that of a hearing room packed with citizens from neighborhoods across the state. The citizens are demanding legislation ending redlining, mortgage policies by banks that discriminate against certain urban neighborhoods considered "high risk" areas by the banks. The atmosphere in the hearing room is electric as community residents relate their tales of unfair mortgage denials. Banking lobbyists testify but are immediately challenged by citizens armed with facts of the banks' refusals to invest in local neighborhoods.

For far too long, the first description has been the essence of the legislative process; citizen involvement could be symbolized by an "empty chair." When the state legislature (or state agencies) made decisions on important issues, citizen involvement was almost nonexistent. The audience at hearings usually consisted of a few legislators and lobbyists with selfish axes to grind. There were no citizen-based groups keeping track of hearing schedules, no groups arranging expert testimony to be presented, and no citizens attending the hearings to register their concerns.

The lack of attention to events at the State Capitol has been symptomatic of the larger problem of general ignorance among citizens about state government. State government has been the forgotten level of government, with citizens not even knowing their legislators' names. Activities in Washington have received lavish attention from the press and local decision-making on issues like property taxes and school boards inherently attract attention because they more directly affect citizens.

American government on the state level, in other words, has not been operating as our high school civic classes had taught us. The legislature was supposed to be a place where all sides of an issue would be presented to our elected representatives and they, in their wisdom, after hearing all viewpoints including their constituents', would make decisions. Instead we have had a system dominated by special interests — the banks, utilities, insurance companies — with citizen involvement nil.

In recent years, because of organized citizen activism the situation has improved. The Connecticut Citizen Action Group (CCAG) was formed in

1971 to help correct the imbalance, to see that citizens were represented when key decisions were being made. We have attempted to fill the "empty chair" so that legislators know at least one citizen perspective on important issues.

Our goal has been twofold — to let state officials know that somebody is looking over their shoulders, and to encourage citizens to tell their representatives how they feel and what they want. In short, our goal is "accountability," the most important word in CCAG's vocabulary. We want to make public officials accountable to the citizens who put them in office.

There are a number of different ways we seek to accomplish this ambitious goal.

A. Having Full-Time Citizen Advocates at the Capitol.

Special interests have been effectively represented at the state Capitol because they have full-time lobbyists backed up by lawyers and researchers as well as tremendous economic power. Thus, one of the first things we realized was that we needed **full-time** lobbyists, researchers and lawyers working for us if we were to effectively present our view of the public interest. Having full-time paid staff enables us to carefully monitor the legislature.

Successful monitoring means many long hours of drudgery at the Capitol — waiting for repeatedly delayed hearings to start or sitting through boring meetings. But the long hours pay off; a constant presence is necessary to achieve real results. Our lobbyists find that just as they are about to abandon a meeting in which bills of no interest to us are being discussed, a bill which we have been working on for three months comes up for consideration. Providing last minute reminders, answering a crucial question for the hundredth time, or just making eye contact with a key supporter at a critical moment may be the threads on which our success or failure hangs. A CCAG lobbyist once saved an important utilities bill from being killed by being present when its sponsor had stepped out of the room.

B. Getting Information to Legislators.

Connecticut's legislature is part-time and has little staff, which means that legislators depend in large part on lobbyists for their information. The job of the citizen lobbyist is to fill the information gap. You can be sure that legislators will receive a steady barrage of information from special interests presenting their side on any issue of importance. On a bill affecting the drug industry, for instance, pharmaceutical lobbyists brought movies and left flashy notebooks full of authoritative-sounding articles and glossy photos. If a group of citizens doesn't provide counter-arguments, no one else will.

It is not difficult to become more knowledgeable than most legislators on a given subject. Since Connecticut legislators work only part-time, they are often not experts and are not inclined to become experts. Our state

legislature also has a high turnover, which further reduces the number of old pros and technical experts.

By providing information that is thorough and accurate, our lobbyists attempt to establish themselves as resource people for legislators on a given subject. After five years of intensive lobbying at the Capitol, CCAG is now constantly asked for information on bills. We have legislators saying, "Look, can you give me some information on this bill? I know you know more about it than I do." That's been the role of lobbyists for years. What's new is the type of lobbyist and the different perspective.

C. Getting Information to the Public.

For our political system to work, legislators must believe that their actions will be scrutinized by an informed citizenry; they must be held accountable for their votes.

One of the main problems in establishing accountability is the anonymity of many of the legislators. When citizens don't even know the names of their state representatives and senators, which is often the case, they know even less about their legislators' votes on key issues. CCAG has encouraged the average citizen to pay more attention to and participate in the legislative process in several ways. The first thing we've tried to do is demonstrate the impact the legislature has on the day-to-day life of every citizen in the state. Every day the legislature is making key decisions which affect each person's pocketbook — the amount of taxes each pays and the cost of everything from prescription drugs to utility rates. We point out that all Connecticut citizens, especially the 200,000 who suffer from respiratory disease in the state, have a stake in the outcome of a decision to allow utility companies to burn dirty fuel. The interest of every citizen is harmed if we don't have freedom of information laws which open up government to citizens or conflict-of-interest laws which set standards for ethical conduct of public officials. We perform this important public information role by speaking around the state, issuing press statements on important issues, blowing the whistle on conflicts of interest and tipping off reporters to any mischief we discover.

We rate the voting performance of each state legislator in every legislative session. This "Voting Index" is based on a dozen or so roll call votes on key environment, consumer, and open government issues. These ratings have made a marked impression on legislators. Some legislators get to be known by their score — "Mr. 11 Percent," while others half-jokingly warn their colleagues if they don't vote the CCAG position on an issue, they are going to get a "minus." That's all part of accountability.

In addition to the ratings, CCAG has compiled more in depth analyses of legislators' performances. Each election year since 1972 we have committed a vast amount of resources to produce our massive General Assembly Project. Some leading journalists have called it the best voting education resource available in the state. The 1000 page 1976 study contains reports on the views of each Connecticut incumbent challenger on

issues ranging from utility rates to taxes and spending. The reports on incumbents, which are 4 to 8 pages, are based on voting records, both in committee and on the floor, statements at public hearings, floor debates, and other public occasions, and long questionnaires. The reports frequently discussed legislators' involvements in behind-the-scenes maneuverings and preliminary battles on bills.

Has your legislator been conscientious in representing your views in Hartford? Has he or she tried to inform constituents of his or her actions, solicited opinions, or responded to their letters? These are the questions every citizen must ask if performance as opposed to party label or a nice smile is to be the criterion for judging legislators. The public simply hasn't had this kind of information to make wise decisions at the polls and until it wants and gets it, our legislature will go on being an anonymous group of 187 unknows.

D. **Getting Citizens Involved.**

While a constant presence at the Capitol of full-time public interest lobbyists like CCAG's is crucial, getting grass roots citizen involvement in influencing legislative action is equally important. Legislators must know that CCAG staff members in Hartford aren't the only people pushing for a "Bottle Bill," posting of prescription drug prices, or restrictions on utility advertising.

We have thus spent a great deal of time and energy building our "Citizen Lobby." The Citizen Lobby is composed of over 2500 individuals throughout the state who regularly receive information about CCAG-backed legislation. During the session, when our staff learns that a priority issue is about to be voted on, either in committee or on the floor, an alert goes out over a telephone tree to our local citizen lobbyists. Then they contact their legislators by phone, letter, telegram or even in person. By coordinating our efforts at the Capitol with local, constituent pressure, we are able to generate maximum support for our issues.

The result is that some legislators who were getting one or two calls or letters on a particular bill are now getting 50, 60, or more. That kind of citizen pressure has a remarkable effect. After having turned loose our lobby over the weekend, it is not unusual for a legislator to say to one of our lobbyists, "Gee, you can't believe the pressure I got on this thing over the weekend. I've changed my mind."

We are at the beginning of the process of building citizen activism. Gradually, elected officials are being made aware that an informed citizenry in the home district is monitoring their performance and that those citizens have the ultimate power to support or veto a legislator's actions.

E. **Building Local Chapters.**

Through its local chapters, CCAG has mounted an even more intense effort to build local interest in the legislature. Our community organization activities aim to involve citizens in group action on problems they

feel strongly about. The members of our local chapters determine what they will work on and how. Some problems must be resolved by the legislature. At that point, the force of citizen action is combined with the skills of CCAG's staff lobbyists.

Any successful lobbying effort by local groups can include such activites as:

1. Organizing a telephone tree to bring pressure on local legislators;
2. Attending hearings en masse;
3. Conducting petition drives to support legislation; and
4. Holding local accountability sessions.

This last method is perhaps the most effective that local organizations or chapters can employ. One or more local legislators are invited to a meeting of the local group. Unresponsive legislators thrive on anonymity. Being forced to physically face constituents on crucial issues can make it very difficult for a legislator to oppose their positions.

F. **Working with Coalitions.**

Whenever possible we try to work with other groups to push for passage of legislation. Issues are legitimized in the eyes of legislators and the public when they have support from a wide variety of groups and interests. A coalition can change the image of the Bottle Bill, for example, from simply an "ecology" issue to a consumer-energy-environment issue.

Coalitions also pool the skills and resources of the groups involved, greatly increasing the energy that can be devoted to an issue. The diverse people involved in the coalition may also provide some new perspectives on an issue. For example, when we were helping to draft legislation controlling utility-service shutoffs as part of an "Energy Coalition," coalition members told us about many customers with delinquent accounts who made substantial payments to the company only to have their service shut off in the next few days anyway. As a result, we included in the bill a requirement for a new termination notice whenever a customer paid twenty percent or more of his back debt to the company.

Sometimes friends on one issue may be opponents on another. We worked with the Connecticut Pharmaceutical Association to pass legislation permitting pharmacists to substitute lower-priced chemically-equivalent generic drugs for higher priced brand name drugs. Previously we had strongly disagreed with the association over the passage of legislation permitting pharmacists to advertise and requiring the posting of prices of prescription drugs.

Citizen groups have not worked as closely together on issues as they should have in the past. But more and more groups are realizing that they have common interests and goals. We should expect an increase in coalition building in the future.

G. **Building on Success.**

We have talked a great deal about lack of interest in what's happen-

ing in Hartford. Certainly a primary cause for this attitude is the cynicism that many people feel about their ability to affect government decisions. This kind of distrust about how government responds to citizens breeds apathy and a sense of powerlessness. One of the best ways to dispel this attitude is to show people they can win on issues they care about. We believe CCAG's success record since 1971 shows that citizens can score impressive and important victories against strong opposition. Through the efforts of our Citizen Lobby and CCAG staff working at the Capitol, we have recorded many notable legislative achievements including:

Environmental Policy Act: Requiring state agencies to evaluate the environmental impact of state-funded projects.

Inland Wetlands: Protecting freshwater wetlands (swamps, bogs) and related watercourses (streams, ponds, rivers) and land from unwise use.

Prescription Drug Price Posting: Requiring pharmacies to post prices of the 100 most commonly prescribed drugs, thus allowing consumers to comparison-shop.

Utility Advertising: Prohibiting utility companies from passing on to ratepayers the cost of most advertising. Connecticut was the first state in the nation to take this step.

Ethics and Lobbying Laws: Establishing a stronger conflict-of-interest code for public officials, strengthening the regulation of lobbyists, and creating a citizen Ethics Commission to enforce the laws.

Outside the legislature we have won national precedent-setting victories on electricity rates: a rate hike was thrown out in court and a rate reduction was ordered by the Public Utilities Control Authority. We have talked to tens of thousands of people at their doors about CCAG and sought financial support and participation in our activities. Our consumer complaint centers in Hartford and Norwalk have helped people fight back against defective products, unfair sales practices, and other consumer abuses.

Equally as important in developing a feeling of success is change in attitude. Legislators will stop me in the halls of the Capitol to say, "Look, Marc, I missed the vote in committee today because my mother was sick. I wanted you to know." Or, "I hope you saw how I voted on that bill. That was the CCAG position, wasn't it?" A group of 30 CCAG Citizen Lobbyists recently met with a key state senator who had been hostile to the Bottle Bill in the past. After an hour meeting with various citizen lobbyists making presentations, the senator declared his support for the bill and stuck by that commitment through every important vote on the bill.

These victories and the change in attitudes of decision makers will enable us to develop even stronger citizen-initiated action in the future.

HOW CCAG SELECTS ISSUES

Our Board of Directors has set general goals for the organization. At least once a year our 8000 members and our 2500 citizen lobbyists are

polled to determine their views on what our legislative priorities should be.

We also carefully analyze complaints about different consumer or environmental problems to see where common problems arise so that remedial legislation can be drafted and introduced. The successful legislation which we backed recently, providing consumers much better information on funeral prices, was in large part due to complaints we received from aggrieved citizens who had been denied adequate price information by funeral home directors. We often speak to different civic and community groups and we use the reactions and suggestions we receive from them at these meetings to propose legislation.

Additionally, we keep track of legislation other citizen groups are developing in other states. The problems Connecticut citizens face — skyrocketing utility bills, abuses in the market place, unhealthy air and polluted water — are not unique to this state. In the future, our local chapters will be the primary initiators of ideas for legislative action. The work we do and the legislature should do must be in response to the needs of the citizens of the state.

HOW THE LEGISLATURE CAN BE IMPROVED

While citizen action and involvement is the most important ingredient needed to make the legislature an effective body accountable to citizens, internal changes in the way the legislature operates can contribute to its effectiveness.

In recent years some action has been taken which makes the legislature more effective and Connecticut government more open. The legislature has strengthened its ability to provide sound research by creating the Offices of Legislative Research and Fiscal Analysis. Staff has been increased at the Capitol. All legislators for the first time have desks outside of their chambers.

The most important improvements have been legislation making government more open. In 1975, the legislature passed a Freedom of Information or "Sunshine Law," which enables citizens to find out more easily what government agencies are doing. The ethics and lobbying laws of 1977 require public disclosure of legislators' assets, sources of income and businesses with which they are associated, establishes stronger conflict-of-interest standards, and strengthens regulation of lobbyists' activities. These significant open government laws were not passed because of a sudden outburst of legislative commitment to government reform, but as a direct result of citizen demands. Legislators who opposed the measures were caught between a rock and a hard place. To reject the measures would further reinforce the deteriorating public faith in the honesty and integrity of public officials; so they opted to vote for them.

These successes, however, have only scratched the surface of legislative reform. Connecticut's legislature is a part-time body. The staff, though

improved, is inadequate. Most legislators have no staff, yet they are expected to digest and make wise decisions on over 5000 bills each session. Legislators have told me that many times they have no idea of what they are voting on. Hundreds of bills reach the floor for final action in the last weeks of the session, without a majority of legislators having anywhere near adequate time to read them. Surely the public interest can't be served by a process that depends more on luck for successful results than good planning and management.

Space is shockingly inadequate. Hearings that last for several hours are often moved from room to room. The legislature should be full time with expert staffing and adequate facilities. The money this would cost would be saved many times over by enabling the legislature to make wiser and more prudent decisions.

The present system leaves the legislature subservient to any executive who chooses to dominate it. It leaves the rank and file legislator dependent upon legislative leadership, committee chairmen, and lobbyists for information. If citizens in the state could observe the legislature for a week and see the conditions members have to work under, they would be horrified. But the public hasn't had the opportunity, and remains skeptical — justifiably — about the need to spend money for improving government when its performance has disappointed and disillusioned so many. A change to a full-time legislature will have to await an aroused public, involved in the legislative process and convinced its representatives are accountable to it. Only then will it be willing to put up dollars for an effective legislative branch.

Another problem related to the Assembly's part-time nature and lack of staff is inadequate legislative oversight of implementation of laws. The legislature passes a good piece of human rights or environmental legislation, but who monitors the implementation of the law? More often than not the legislature does not take a good hard look at what happens to the laws they pass and the programs they set up. The Banks Committee does not regularly check the Banking Department. The General Law Committee, responsible for most consumer legislation, does not hold hearings on how the Department of Consumer Protection is enforcing that legislation. When the legislature's Environmental Committee held hearings in 1976 to question the adequacy of the enforcement of environmental legislation, it made headlines because it was so unusual. This kind of oversight review on at least an annual basis should become the rule, not the exception.

Legislators should also be playing the role of ombudsman by helping individual citizens with problems they encounter with state government. What do I do if the Department of Social Services doesn't provide my welfare check? What if the Department of Insurance isn't responding to a complaint that I have? Some legislators struggle valiantly to help resolve constituent complaints like these, but many constituent requests go unattended because the legislators don't have the time or the staff.

An important step the General Assembly can take to encourage citizen

involvement and participation in government is to enact a constitutional amendment creating an initiative and referendum process. Such a process would give Connecticut citizens the power to directly pass laws. Under our plan, a statewide referendum on any piece of legislation would be held when five percent of those voting in the previous gubernatorial election (approximately 55,000 voters) signed a petition requesting the referendum.

The initiative can be used to secure a reform or program desired by a majority of voters, which, for a variety of reasons, failed to pass the legislature or was vetoed by the governor. It would get many more people involved in public policymaking, and most importantly, would educate the public on vital issues. It can be used to prod elected officials to take action. The experience of the initiative in the twenty-three states that have it is impressive. The initiative would be open government in its purest form.

THE FUTURE

Citizen action groups are today providing the new ideas for government action. The next ten years will see an increase in the growth of citizen action in Connecticut and across the country as more and more citizens find these organizations are the best way to fight their feeling of powerlessness.

Many people believe citizen groups will become more important political forces than the present political parties. "There's no loyalty to parties today because they serve no real function," asserts pollster Peter Hart. "Parties are going out of existence." Maybe so. Maybe not. But unless political parties start responding to the alienation and cynicism that citizen groups have responded to, they will become relics of the past.

The process of getting government to be responsive to citizen needs, that is, to achieve real accountability of public officials, will not be an easy one. Entrenched special interests who benefit from the status quo will fight any attempt at progressive change. Those involved in citizen action must realize that our progress will sometimes be slow and that the effort will take much hard work. But the successes that CCAG and other citizen groups have achieved demonstrate citizens' ability to win impressive victories. And the exciting part is that we are only at the beginning of the citizen movement.

CHAPTER 12

Why The Legislature Needs the Press

by Lawrence Fellows

Lawrence Fellows is the Connecticut correspondent for the **New York Times** newspaper. Although a resident of Bloomfield, Connecticut, he has traveled extensively throughout the world reporting on the political activities of various nations. He has written many feature articles about the Connecticut General Assembly.

Lawrence Fellows served in the U.S. Navy in World War II, then in the U.S. Foreign Service, stationed in Germany, from 1948 to 1952. In 1953 he joined **The New York Times** and was a foreign correspondent for that paper from 1959 until 1972, when he was named Chief of the Connecticut Bureau for the **Times**. He has been based in London, Jerusalem, Bonn, and Nairobi, although his assignments have taken him also to eastern Europe, southern Asia, and the Indian subcontinent.

He has an A. B. from Ohio Wesleyan University, and has done post-graduate work at Columbia University and at the University of Maryland in Wiesbaden and Bonn.

Mr. Fellows is the author of **East Africa**, published by Macmillan in 1972.

Why The Legislature Needs the Press

If, as Wendell Phillips, the fiery Boston reformer insisted, we live under a government of men and morning newspapers, we ought to make certain that they do not lose sight of the public interest by getting too cozy with each other.

Even now, reporters covering the Connecticut General Assembly have to struggle to keep from being caught up in a tautology that runs like this: news is what the Assembly does, so what the Assembly does is news.

It leads to a numbing sort of inertia, a routine with which reporters feel comfortable because they know what to expect of the politicians; and because they know at the beginning of the day what stories they will have at the end of it. And if all the men and women in the press room at the Capitol are caught up, more or less, in the same routine, there is an added element of security for each of them, for each knows with a reasonable degree of certainty what the others will be sending to their newspapers, or radio or television stations. In other words, they do not have to worry about the competition.

The members of the General Assembly learn to live with the routine easily, for it gives them a powerful influence on the news. They can determine to a considerable extent what will be reported, merely by calling a news conference to make a pronouncement on a subject, or a caucus or a committee meeting to discuss it; or they can draft legislation and know that some members of the press will very likely take notice of the bill if it is drawn to their attention, no matter how outlandish or banal the theme.

Some reporters are hungrier than others for stories, no matter what the theme. Some work for whole strings of newspapers, and hope to supply each with a different wrinkle, even if the fabric of the story is the same. Some work for radio stations that present nothing but news, and so the appetite for news is insatiable and the deadlines almost constant. If some members of the press pick up a story, there is pressure on the others to follow suit. A reporter may trust his own judgment, but not necessarily that of his editor; and no reporter likes to be asked by his editor why he missed a story. A politician who understands this basic vulnerability of the press can exploit it mercilessly.

While both the press and the politicians may be served by this routine, or think they are, the public is most definitely not served by it. And the responsibility of the press is to the public, not the politicians, except, of course, to report about them fairly and accurately when they do legitimately make news.

No good reporter would serve a member of the Assembly, or consciously color a report about him. The reporter assigned to cover the Assembly knows he is there to discover and publish the truth about events he finds interesting or significant, not to make argument, or to advance a cause or seek to demolish one. That is the responsibility of the columnist and

the editorial writer. And if the reporter discovers that his definition of the truth or his assessment of what is newsworthy differs from that of his colleagues, the public will most certainly have been served if the reporter's views differ occasionally from those of some members of the Assembly. As crude an instrument as the press is for culling out the news of the legislature that is important and lasting, it is the only instrument available to the vast majority of the public.

No reporter can be right all the time, not in everyone's estimation. He can see only through his own eyes, and be only in some places. He can weigh the contradictions around him only in the balance of his own judgment and experience. If the report sheds some light or adds a dimension to what a legislator says in open debate, the voters, who are still sovereign, may have a better understanding of the complicated changing process of government.

You cannot tell this to a senator or a representative who holds the floor for twenty minutes in a debate, presuming to illuminate such a matter as regulating the noise levels of train whistles, or banning the riding of bicycles without hands on the handlebars, or designating the praying mantis as the official state insect; and then sees only one sentence about his speech, if that, in the papers the next morning.

To him, it seems the press is biased against him, or asleep when he makes his speeches. He worries what his constituents will think of him, because the sentence that was used was not the one he would have picked as the most signfiicant. He does not understand the constraints of space and deadline on a newspaper, or of the limits of time for a radio or television broadcast. Only rarely does a politician have a real understanding of the concept of newsworthiness. He cannot be expected really to know how boring he was in debate, or how fast his words, had they been reported, would have hurried the reader back to the sports pages, or to the crossword puzzle.

Reporters are not editors, but they are making editorial judgments all day long: what hearings to attend, what debates to sit through, what notes to take and, afterward, what to put in the story, and what to leave out.

The editors come along at the next stage with more editorial judgments, more censorship. They have the added responsibility of making hundreds of judgments like that all day long, not only about the stories offered by the man at the Capitol, but about the whole range of stories flowing into the newspaper. Even if the editors found all the stories interesting, which they do not, there would not be room in the paper for all of them.

There are many decisions that need to be made about a reporter's story before it gets into the paper, and his advice is not often sought about any of them: how long the story should be written, what headline to put on it, how to illustrate it, whether to display it prominently on the front page, or to relegate it to the back, beneath the massage parlor ads, or to take it right out of the paper to make room for something of more consequence or interest to the reading public.

It is not always easy, but a reporter should learn to accept an adverse decision graciously, at any stage along the long, hazardous route to publication or broadcast. If he cannot, he risks showing that he is too close to a story to assess its worth. Even worse, he can become emotionally involved in a story, as rarely happens in Hartford, at least not as shamelessly as happened to a Dutch television weather reporter in 1975, when most of Europe was caught in a wave of emotional protest against the execution of five terrorists in Spain. Unable to restrain his emotions, he simply blacked out Spain on his weather map.

Obviously, even with such lapses as that, the presence of reporters from newspapers, television and radio enhances the legislative process. The legislators certainly think so, for when they do not see the correspondents from their home town papers in the press boxes when they speak, they often seek out the reporters afterward, to let them know what they missed.

News conferences do not get started until the television reporters are there, and have their lights and cameras and microphones in place. Debates are often scheduled to meet the exigencies of Connecticut Public Television. When the lights on the televison cameras go on, the speeches grow longer, the gestures become grander, and the phrases are turned more slowly and eloquently.

While the politicians clearly like the exposure, they do not want to be stripped bare. Like movie stars, they like to tell about themselves only what they have rehearsed and are ready to have the world know. The party caucus seems to be the place around which most of them would like to draw their curtain of secrecy, for in most recent years the caucuses have been closed.

The reporters who fight to get the caucuses opened in the cause of open government are misled if they think an open caucus will lead to open government. All that is accomplished by opening the caucus is to drive the politicians back to the next line of trenches. One way or another, they are going to sort out in private what they are going to say and how they are going to vote before they get out onto the floor of the House or Senate, in front of the press and public and the other party. If they cannot talk things over in private in a caucus, they will talk them over at lunch, or on the phone. The caucus, if it is held, then becomes a dress rehearsal for the debate.

Because there are always more lines of trenches for the legislators to fall back to, the press would pay a smaller price in lost time and frustration by giving up the frontal assault on the caucus, and depending instead on the older, subtler tactics of infiltration and diversionary attack: talking to malcontents and the opposition, putting bits and pieces of information together, each reporter trusting his own perceptions and impressions.

The press cannot reasonably ask that the General Assembly do more to accomodate reporters than it has already done. There are press boxes in both chambers, and reporters are not restricted to them if they feel like

roaming around, talking to legislators one at a time. Office space is available with everything furnished but the typewriters and telephones. There is parking space saved for them outside the Capitol. Reporters dip freely into the bowls of free candy the operators from the Southern New England Telephone Company provide at the telephone desks outside the House and Senate chambers.

The more the press allows the politicians to do for it, the more the individual reporters and their newspapers or stations lose their character and personality. What is made available openly is made available to all of the reporters, and the reader is left more and more with standardized, one-dimension reporting. The reporters who succumb are left with diminished interest and dignity in their trade.

The subject came up elsewhere before it came up in Connecticut, but for a while there was considerable support in friendly quarters for a "shield law" that would allow a reporter to protect the identity of a confidential source, without risk of being sent to jail for it. The law would be an enhancement, of sorts, of the First Amendment, which states expressly that Congress shall make no law abridging the freedom of speech, or of the press.

Any definition of that freedom in a new law would have to be an abridgement, and reporters would probably be wiser to hope that there will be no "shield law," and to trust that the evolution of constitutional law will make it possible one day for reporters to publish what they want without fear of punishment.

That does not mean that reporters should publish whatever they want, without regard to the privacies they might be invading, or the truth they might be distorting. Almost always, when responsible reporters distort something, ineptness or haste or sheer confusion is to blame rather than conscious cruelty.

Censorship by the government, self-censorship, regulation by press associations and other devices have been tried in various places abroad as means of making the press more responsible, or amenable, depending on the point of view.

But censorship is an absurd option in a society where the people are sovereign and are presumed to have sufficient power of discrimination to absorb whatever conflicting views and contradictions are laid before them, and still elect a representative government intelligently.

Journalistic integrity cannot be dictated without infringing on press liberty. The standards are in the main individual ones. If they characterize a newspaper or a radio or television station, it is because of the individuals who planted them there. If they are lacking, the public will survive that more easily than it would survive censorship.

Alexis de Tocqueville, who made so many astute observations about the United States when he visited in the last century, noticed also that the press was creating considerable discomfort with some of the liberties it was taking: "... I approve of it more from a recollection of the evils it prevents than from a consideration of the advantages it ensures," the Count de Tocqueville wrote.

CHAPTER 13

The General Assembly's Failure To Help Its Capitol City

by
Nicholas Carbone

Nicholas Carbone attended Hartford's Public Schools and is the owner of an insurance agency. He joined Hartford's City Council in 1969. While serving on the Council, he was Democratic Majority Leader and Party Chairman. In addition to his Council responsibilities, he was active in the presidential campaign of President Jimmy Carter and was on the platform committee of the 1976 Democratic National Convention. He is also a consultant to the City Institute of the Universiy of Hartford and to the National Center For Urban Ethnic Affairs. He is Chairman of the Employment Income Security Steering Committee of the National League of Cities.

The General Assembly's Failure to Help Its Capitol City

The General Assembly of the State of Connecticut is absolutely critical to the survival of the City of Hartford.

Although I am proud of what we in the city have been able to accomplish in recent years, there are many services that cannot be provided on a local level, i.e., housing, welfare, courts, correctional system, mass transportation, and much more. Also, the city does not have the kind of resources the state has to meet even local service demands such as education and police protection. The basic local revenue source is the property tax. But in the city, demands for better schools, more police and fire protection, more tax-supported housing for the poor, and for job assistance can no longer be met by this tax base. Too much of the city's property is tax exempt — hospitals, colleges, parks, museums, churches, and other places used not only by city residents but by residents in neighboring towns. Residential properties are not rising in value. In fact, blight is common to many parts of the city and no tax at all is forthcoming from these areas.

Let me outline the city's plight with some hard figures. Hartford is one of those American central cities suffering from a concentration of lower-income persons. The city's Department of Social Services administers between 40 and 45 percent of all town AFDC (Aid to Families with Dependent Children) cases in the entire state. Over half of the city's residents receive some type of transfer payment. The school population is now over 80 percent minority. The housing situation is bleak. There are 16,000 substandard, deteriorating or dilapidated units in the city. Most of the subsidized housing in the Greater Hartford Region is located in the city — 61 percent — yet it has only 24 percent of the total region's population.[1] The disparity between the City of Hartford and its suburban towns is the third worst in the United States.[2] These factors were noted in the federal court decision we won declaring it illegal for the suburbs to spend community development funds for non-housing purposes.

Yes, the City of Hartford is in critical need of help from the General Assembly. Yet as the General Assembly is now constituted, it is not helping the city. We in the city have not been able to get the help from the state that the city must have to survive. The state has the higher resources at its command to enable proper aid. It can administer an income tax to people with some of the highest per capita incomes in the country. It is large enough to help solve some of the city's more severe problems. Yet it does not.

Let me explain why.

Then let me explain what is being done to change the state's lack of responsiveness to its cities.

Why the General Assembly Is Not Helping the City

There are two basic reasons why the city is not getting proper aid from the state: wealthy minority interests have exercised all the power, and an uneducated majority has let them get away with it.

Control has been in the hands of the wealthy who have a selfish interest in not seeing a fair distribution of the burdens of society. The newspaper media, the editorial writers, the wealthy suburbanites, and the businessmen have dictated policy in this state on taxes and revenue distribution in order to maintain the status quo.

The city has suffered from a lack of knowledge about the seriousness of its problems. The majority of people suffers a lack of knowledge as to the inequities which the present system provides. While the middle and working classes are beginning to protest high property tax rates, they do not understand those rates are caused by Connecticut's excessive reliance on regressive local property taxes instead of a progressive income tax. The average working class guy knows he's paying more than his share, but he probably doesn't know that those earning under $5,000 a year in Connecticut pay the second highest tax burden in the country, while state taxes on the rich are minimal. Instead, he has been brainwashed by the establishment to believe that he's being overtaxed because of welfare cheaters.

Connecticut has one of the most antiquated distribution systems because the people in control have us believe the everything should be solved at a local level. They say the state government has no responsibility but to make sure that the local government is honest and straight. They have perpetrated that fraud and that myth very well through what you read in any editorial here. All they keep talking about is waste and inefficiency in government. The power structure constantly says, "Don't give government any more money because they'll only waste it." The people in control never talk about the human waste that takes place from the lack of decent programs and the resulting lower quality of life. They never talk about the loss of industry and the loss of jobs caused by our tax system.

They would have you believe that each and every local governmental official is incompetent, inept, political, somewhat crooked and lazy, and a parasite on society, and that we ought to do away with the whole governmental process.

And that's because they have most of the money.

What's Wrong With the General Assembly

The establishment's mistrust of government and its sole goal of preserving the status quo have been translated into a philosophy which guides the General Assembly. I should perhaps first explain that the General Assembly always responds to the strongest political pressure. Since the working class has not understood how the current system is stacked against it, it has not been able to press effectively for change. Legislators have thus acted as a rubber stamp for the rich. Our state legislators have been

taught, trained, and indoctrinated to believe that leadership means finding out which way the wind is blowing and then getting in front of it. They do not decide which way the wind **ought** to blow and then try to direct it. We have not had leaders; we've had people who run in front of storms. This underlines the General Assembly's behavior.

The state legislature is the biggest supporter of local government. Legislators believe there are two constituencies: one for the local government and one for the state government. They feel that as long as they don t raise state taxes, they've solved their problem. They act as though the state government has no responsibility; when they recognize the existence of a problem, they "solve" it by mandating that the local governments do something — without providing the dollars to carry out that mandate.

Finally, the status quo is protected by the predominance of lawyers in the legislature. Currently, sixteen of the thirty-six state senators are lawyers.* A lawyer has been taught to think only one way: how to defend the status quo. Lawyers tend to avoid doing anything new because they always have to find a precedent. But we haven't dealt with social problems very successfully and if we continue to look for precedents in our attempts to solve those problems, we will continue to fail. By their very training, lawyers are not creative people. All they are able to do is fine tune an inadequate system. There's no sense of urgency, no commitment that gets translated to the General Assembly. They don't do anything by goals. They have no programs. And the state is probably our most inefficient level of government.

Worst of all, of course, is the effect this philosophy of the General Assembly has had upon the people of this state — particularly the poorer people in the cities.

Tax Inequities

The State of Connecticut has one of the lowest tax efforts in the United States. The local governments, on the other hand, have one of the highest tax efforts. Connecticut ranks 46th in the country in aid to local governments. Forty-five states provide more funds for local services than we do. But the state ranks second in the level of local government expenditures — second among the fifty states in reliance upon local revenues to support the burden of local government.

What this does is reinforce all the inequities that exist between rich towns and poor towns. It makes the poor towns poorer and the rich towns richer. The rich towns don't have many of society's problems. They don't have health problems, welfare problems, special education problems; they're minimal compared to those faced by the cities.

When the General Assembly mandates at the state level that the local governments must pay for solutions to their problems— regardless of their revenue-raising abilities — it reinforces a tax structure that places the heaviest burden on the poorest people. The property-poor towns are usually those with the greatest need for services, and if they are going to

provide those services, they must impose tax hikes on the people who can least afford them. The General Assembly has given Connecticut one of the most regressive tax systems. The responsibility is theirs. The inequities between tax levels and ability to pay are striking.

Reliance upon property taxation must be reduced not only because it is regressive, but because it is detrimental to economic development as well. It causes towns to lose jobs because every time a factory makes a location decision, it looks at the property tax. The factory management sees that if it owns a piece of property in a Connecticut town and it does not make a profit one year, it still must pay a tax. The factory next door may be in a boom period but it pays the same property tax rate.

As long as you own a home in a Connecticut city or town — even if you are unemployed and bringing in no income — you pay that property tax. Even if you lose your house and become a renter, you don't escape the tax. Your landlord must pay the property tax and so your rent includes a share of his tax expense.

The property tax cannot respond to the economy. But a corporate income tax and a personal income tax take the economy into account. When your factory does not make any money, it does not pay an income tax. When a worker is unemployed, he does not pay a tax. Both can survive. The factory can keep its doors open and workers employed as it prepares for a better year. The worker can hang on to his house while he seeks his own better year.

Our state system of taxation has a negative effect on the quality of our life. Factories leave the state. Others will not come in. More close down. Workers are unemployed. They lose their homes and cannot afford adequate housing.

We are not matching up dollars properly. We are not getting kids out of school with marketable skills. Our schools, which are largely dependent on the local property tax, cannot provide the right training. They cannot afford it. We are not helping our people to become as productive and employable as they should be to help business and industry here.

So, over the long run, the state is paying more because the system is so ineffective. Those who need the state resources the most — those in the city — go without. Those who can help the most — those in surrounding towns — keep their money through low property taxes and low service demands.

The only way there is going to be a reallocation of state resources is for the state to raise more money and for the towns to raise less. And the only way you can do that is with a state income tax.

Myths Through the Media

Most people in Connecticut don't have an understanding of the inequities that are built into the current system of taxation. The reasons are twofold. First, the press is controlled by wealthy interests who have a deliberate bias against government in general, and against an equitable

distribution of society's benefits and burdens in particular. Myths about governmental wastefulness, incompetency, and crookedness are perpetrated by the editorial writers.

Secondly, most news available to Connecticut readers is totally inadequate. Newspaper reporting is not treated as a serious profession because the salaries are too low and because there are no demands for expertise. Most reporters who cover state or local government do not understand it.

Practically the only stories reporters write about here are those of confrontation. If I get up at a City Council meeting and call a fellow councilman names, and he responds in kind, that's the story that gets into the next day's paper. The merits of the argument are ignored. A politician who is a blazing idiot can get as much coverage as a politician who does his homework and is responsible.

There is no news analysis by the guy who covers our City Hall or even the reporters at the Capitol. They do not know their subject matter. Reporters come to City Hall for on-the-job training. No one shows a reporter how to cover government, the purpose of government, the legitimate role of government, the merits of an issue, the complexity of government.

Reporters in this state do not get paid for overtime nor for quality and are only rewarded for quantity and sensationalism. The public is treated as if sensationalism is the only thing it can understand and is interested in, so the public is not treated to serious articles on how government collects and spends its money.

Thus the "news" prevents people from seeing how they're being victimized by the establishment's propaganda. The myths that are perpetrated allow the General Assembly to avoid accepting its full responsibility and prevent the electorate from realizing that alternatives exist.

Leaders in the state cannot find out what the people want because the people haven't been educated as to the real problems or the potential solutions. They have been propagandized by the conservative press. When our spineless leaders ask the people what they want, they give knee-jerk, conservative, John Birch Society answers: do away with government, all our problems are because of government, the less government the better, government is only a necessary evil.

No one in the press is attacking this reaction.

PLAN OF ATTACK

As I have said, there are two faults which must be attacked. One is the lack of knowledge of the seriousness of the inequities in Connecticut. The other is the fraud about government perpetrated by the people who control the media, the wealth, and the power. A number of approaches are being taken to increase education and the visibility of the city and its problems.

First we attack the lack of knowledge through education. Confrontation is one method of education. The City of Hartford has filed law suits where we feel our rights have been abrogated. We have sued, and won, to have

the area suburban towns face up to their responsibility to provide housing for the whole area's poor and ill-housed. We have sued the utilities about discriminatory rates. We are studying possible suits to force area employers — public and private — to examine their hiring policies in regards to minorities.

We sue for relief but also as a method to gain publicity for the problems we face. This type of confrontation meets the media's definition of news. It is the only way we can tell our story. If we write a very well-documented paper on the problems and distribute it to the press, it won't get printed. The court suit is a vehicle to get the message told.

The next thing we in the city are doing is trying to increase our visibility. We are working to put people in positions where the city's interest can be explained. An example of this is the election of City Councilman Richard Suisman as Chairman of the Capitol Region Council of Governments.

We also prepared two major amendments to the 1976 Democratic State Platform which were adopted unanimously at the state convention. The first amendment calls the property tax the worst form of taxation, the most regressive tax. It also says the State of Connecticut historically has done too little to support towns and cities. The other amendment denounces per capita grants in favor of grants based on need. Is it fair for the Town of Greenwich to get the same $250 per child in state aid for education as Hartford, when Greenwich's median income is $18,000 and Hartford's is $9,000? No, of course not. The Democratic Plaform plank states, therefore, that if the State Supreme Court enumerates a position backing up **Horton v. Meskill** (which declared the local property tax unconstitutional for financing education), the General Assembly will move expeditiously to endorse it.

Another thing we'll be doing is getting a group of speakers — city advocates — out into the suburbs talking about the problems of the city so we can get some grass roots support for legislative change. The city will be actively involved in the Connecticut Conference of Municipalities and any other groups adopting legislative programs. We will be working to get labor unions to adopt proposals beneficial to the residents of the city. And of course we continue to push particular bills at the State Capitol.

Finally, we hope to form an allegiance among the have-nots; in other words, the labor unions and the people, to hold public officials accountable and to endorse key bills. There will be a statewide Have-Nots Conference to coordinate several existing coalitions which are concerned about how the state's resources are distributed.

PEOPLE WITH COMMITMENT

We are trying to find people who understand what the role of government is, people who have some commitment toward people. We want to see them in the right spots. This is a more important first step than spending a lot of time, like some of my crazy liberal friends do, trying to change

the system. I'd rather take the existing system, the existing General Assembly, put the right people in the right spots, and then try to make some changes.

It does not make any difference what the system is. If you let John Birch be in charge of the system, he is going to make sure nothing happens. To effectuate change, we must have people of commitment, people with resolve to force the system to work and change.

If committed people are in power, they can change the structure overnight. When the Republicans took over the General Assembly in 1971, they changed the rules overnight. Structure is simply mechanical. Whether legislators are full time or have their own offices and secretaries may be important, but it is less important than having good leadership.

For example, if you have a governor who believes the state has a responsibility and wants to govern, the state government can become responsive. If you have a governor who wants to reorganize things, who wants to set out program timetables with goals to measure and evaluate the state government, then the government of the State of Connecticut can become something very beautiful.

Structural matters are incidentals. A legislator can have a two-year or a four-year term, but if he or she does not have a commitment to do anything, nothing different will happen. It's just as easy to sit up there for four years doing nothing as it is for two years.

The City of Hartford serves as an example. We have had the same city charter since 1947. Prior to our group taking over around 1971, critics said the Chamber of Commerce ran the City of Hartford. It was a strong manager form of government, and the City Council was just a rubber stamp. But now critics say the City Council is too strong. The Council runs the government, and it is a commission form of government. There has been a 180-degree turn in the image of the City Council.

Same charter, different people.

So, where there's a will, there's a way. I don't care what the structure is, it's secondary. You could have changed the city's charter before 1971 and never changed the role of the City Council here because there wasn't a willingness to roll up sleeves and do the job.

Committed people are those who make good leaders: they study the problems and decide what they think is right. Then they go out and work to convince the people that this is the right thing to do, and then they do it.

An effective regional or state leader does not have to be from the City of Hartford. If the leader's head is right and the leader's commitment is to people and their problems, change can happen.

MISSED THE BIG APPLE

People respect our opinion in the City of Hartford because we have a good political machine. Legislators know that every two years they have to deal with us.

I am in love with this city. I have a passion for it. I am not going to personally seek state office. I think I'm more effective applying pressure from the outside.

Except for the City of Hartford, all cities and many large towns in the state have seen turnovers in leadership in the last local elections.** In Stamford the party-endorsed candidate for mayor — the incumbent — was thrown out. In Waterbury, the incumbent lost a primary for the mayoral spot. Turnovers took place also in New London, Norwalk, New Haven, Bridgeport, and Bristol. All the old leaders are gone. We have a lot of new faces. When Hartford leaders go to mayors' conferences, we have to start all over again from scratch.

There has to be someone at a local level who is knowledgeable enough to help the other cities and towns see the problems as quickly as possible and to organize themselves against the state. That's one of the roles I see myself playing.

Here in Hartford we are a relatively young political organization. We are learning lessons and growing. But our first commitment is to the city and to the people who live in it. We have done many things and done them well. But we have one problem we haven't turned around: the social-economic problem. For solutions to this problem we have turned to the state and the General Assembly.

I think we understand local government, what it should do, its capabilities. I think we are getting a grip on the problems of the poor, and I think we are going to be doing a lot more for them. We have learned some strategies and some tactics which will accelerate the impact we will make on the problems.

In the General Assembly we recently played a major part in the passage of nine or ten pieces of legislation. We supported the City and Town Development Act, the raising of state reimbursement of local welfare costs from 45 percent to the present 90 percent, the creation of the Public Utilities Control Authority, and the financing of Project Concern by the state (the busing of Hartford school children to area suburban schools).

But we've never been able to get at the big apple, the magic ring, which is the total reform of the tax structure and the total change in attitudes in the state.

CONCLUSION

Sometime in the late 1950's I got out of the service and came home to Hartford. I was working and living in the city when I became disturbed over the lack of city services. I then started the South End Business and Civic Association back in 1961 to work towards better city services for our area. The association led me then into the political process.

I figured if you couldn't fight City Hall, you had to try to take it over.

After 1971 when our political organization took over and tried to solve the problems of the city, I came to realize many of the problem's causes lie with the state system. The two key things wrong with the state, as I

said earlier, are the lack of knowledge of the seriousness of the problems in the cities and the control of the state political process by people of wealth and power.

We cannot fight the present General Assembly. Yet our survival depends largely on the General Assembly. We cannot take it over because all the cities in the state, even if fully united, do not have enough votes against the suburban towns.

But we can follow the plan of attack I outlined above. We can continue our law suits seeking relief for the city and visibility for its plight. We can continue seeking regional and state positions of leadership to have a clearer, higher voice in state affairs. Our Have-Nots Conference and speakers bureaus can explain our problems to those outside the city.

And we can support political leaders who are committed to people. We can support them no matter where they come from — city or suburb. For the General Assembly is absolutely critical to the survival of the city. Our resources are too small and our problems too big to handle without the General Assembly's legitimate aid.

FOOTNOTES

[1] Joseph M. Blumenfeld, U.S. District Judge District of Connecticut, **City of Hartford v. Carla A. Hills,** Jan. 28, 1976.

[2] Richard P. Nathan, **The Record of the New Federalism: What It Means For the Nation's Cities** (Washington, D.C.: The Brookings Institution 1975).

* the 1975–76 session

**1975

SECTION 7

CONCLUSIONS

CHAPTER 14

Where the Experts Agree and Disagree

by
Clyde D. McKee, Jr.

Where the Experts Agree and Disagree

It should come as no surprise that all of our authors agree the Connecticut General Assembly is an important branch of government. These authors also agree that the state legislature influences the life of each Connecticut citizen.

Senate Majority Leader Joseph Lieberman shows how decisions of state legislators affect each of us from before birth, through each stage of our lives, and even after death. He says, "State government licenses the hospital where the baby is born and the doctor who does the delivery." "At the other end, state government defines the moment of death itself and creates a process for deciding whether an autopsy shall be performed to see whether the death was natural."

Senate Minority Leader Lewis Rome shares this view that the influence of government is comprehensive. Senator Rome presents a strong argument as to why the legislature in Connecticut "has a more direct and less predictable impact on our lives and property than either its congressional cousin or its local relative, the council or board of selectmen." He expresses particular concern for the degree to which actions by state legislators can directly influence the nature and quality of Connecticut's economic environment. Not only do actions by state officials cost each of us an average of $617 per year, but they determine whether or not we have jobs to pay for the services we receive from the state.

Even those who are severe critics of the General Assembly agree that what goes on under the Gold Dome in Hartford directly influences our lives. Marc Caplan, Executive Director of the Connecticut Citizen Action Group, explains how the laws passed by the state legislature determine whether we can get a mortgage to purchase a home; affects how much we pay for the electricity to light and heat this home; and controls what it costs us to insure our homes, cars, and our lives.

Hartford Councilman Nicholas Carbone, who is the most severe in his assessment of work of the General Assembly, agrees that legislators make decisions that affect us, especially those of us who live in the city, are on welfare, and who are bilingual. Councilman Carbone also presents statistics which show how state legislators influence what services the city must provide, regulates how the city must pay for these services, and sets the expenditures which the state government will pay to help the city meet its obligations. These decisions of the General Assembly, particularly the budget decisions, are so critical to the life and health of the city of Hartford that Councilman Carbone has used a variety of tactics — the courts, bipartisan coalitions, citizen groups, and even threats against the political life of Governor Grasso — to force the state representatives to provide more assistance to his city.

All the authors, the nonpartisan ones as well as those who are legislative leaders, agree that the budget is the heart of state politics. David Ogle,

Executive Director of the Legislative Management Committee, explains the steps taken by leaders of both political parties to improve the resources of the General Assembly so that the state legislature can equal the governor in power and influence. He explains how the United States Supreme Court provided a basis for these political leaders by requiring that legislative districts be reapportioned to make the votes of all citizens equal in value. Ralph Caruso, Director of the Office of Fiscal Analysis, explains why the governor has so much power — in relative terms, more than the President of the United States! — in determining what the state will do with our money. Minority Leader of the House Gerald Stevens supports the importance of the budget when he says it is "the most political bill of the session." He explains how "hundreds of political decisions are made concerning how the state will raise its revenues and how it will spend them." Looking at the budget from his position as Democratic Party Chairman and House Majority Leader, William O'Neill stresses the need for compromise and coordination between the members of the General Assembly and the governor, between the Democratic legislators and party leaders from urban areas, and between leaders of the majority and minority parties. The fact that the budget can become the focus for intense conflict between not only Democrats and Republicans but between Democratic leaders is clearly illustrated by the capture of the Appropriations Committee during the 1977 legislative session. Six urban Democratic members of the Appropriations Committee joined 14 Republican Committee members and forced Party Chairman O'Neill and the governor to give the city of Hartford $7,304,838 more than the governor proposed at the start of the session.

Because the state budget is becoming more and more the focus of conflict between the parties and within the parties, there is general agreement that legislators need the assistance of nonpartisan professionals, who are experts in various substantive areas, and especially fiscal analysis. The need for expertise in partisan areas is also recognized, although only approximately ten percent of legislative bills are partisan in nature. Minority Leader Gerald Stevens points out that Connecticut's General Assembly differs from other state legislatures in that the majority and minority parties "have the same year-round caucus budget." The informal funding agreement between the leaders of the two parties explains why the concept of partisan-based staff members is so secure in Connecticut while the legislatures in two-thirds of the other states have converted to nonpartisan merit systems.

Just as there are broad areas of agreement, there are major areas of disagreement among our authors. Conflicting opinions are found when we ask, "Is the General Assembly a successful political institution?" A majority of the authors believes that during the past few years the General Assembly has taken many steps to become a coequal branch of government. However, a significant minority takes the position that the General

Assembly is not functionally successful. However, those who believe that the legislature needs great improvement differ significantly in their recommendations.

Hartford Councilman Nicholas Carbone believes the General Assembly does not reflect the values and interest of Connecticut's citizens. He says, "There are two basic reasons why the city is not getting proper aid from the state: wealthy minority interests have exercised all the power, and an uneducated majority has let them get away with it." He identifies these wealthy minority interests as "the newspaper media, the editorial writers, the wealthy suburbanites, and the businessmen."

Councilman Carbone also believes that our state legislators have a serious leadership problem. He says, "Our state legislators have been taught, trained, and indoctrinated to believe that leadership means finding out which way the wind is blowing and then getting in front of it. They do not decide which way the wind **ought** to blow and then try to direct it. We have not had leaders; we've had people who run in front of storms."

CCAG Executive Director Marc Caplan agrees with Councilman Carbone that state legislators do not represent the interests of the majority of citizens. He believes that lobbyists for Connecticut's banking, utilities, and insurance interests are especially influential. However, unlike Councilman Carbone, Caplan accepts the traditional role of the legislator as "representative" rather than "leader." Caplan sees the function of his consumer-oriented organization as that of compelling legislators to represent consumer interests that have been unrepresented. CCAG pursues this function by hiring its own lobbyists to challenge those from the banks and public utilities, giving legislative committee members the consumer's side of issues. CCAG also pressures legislators to support positions favored by CCAG members by publishing a "voting index . . . based on a dozen or so roll call votes on key environment, consumer, and open government issues." The purpose of this "index" is "accountability." Because they share the same general attitudes towards the General Assembly, Councilman Carbone and attorney Caplan have cooperated on a number of attempts to influence legislative behavior. They have even been sympathetic to projects supported by Republicans.

During the 1977 legislative session, Republican Representative Russell Post directed an unusual strategy to compel the General Assembly to pass his "bottle bill," legislation that was strongly opposed by influential members of management and labor interests. Starting with the assumptions that "politics is not logical" and "the power of special interest groups . . . can control the Capitol," Representative Post set out to "reverse the traditional lobbying process."

The traditional lobbying process, as Post sees it, can be illustrated by the following steps:

(1) A special interest group decides to influence the General Assembly.

(2) This group hires a lobbyist to represent its position.

(3) The lobbyist attends legislative committee meetings and persuades a small group of legislators to support the position he represents.

(4) These legislators then recommend favorable action to both houses of the General Assembly; and the objectives of the interest group are achieved.

The "Post method" reversed this process in a way that supports the leadership concept recommended by Councilman Carbone.

(1) A legislator (Post) prepares a bill for the General Assembly.

(2) This legislator convinces several interest groups to support his proposal.

(3) These interest groups then convince a majority of the public that the legislator's proposal should be passed by the General Assembly.

(4) Local voters (encouraged by members of the interest groups) tell their representatives that they want them to support the bill.

(5) These legislators then tell the lobbyists working against the bill that they are going to support the proposal because their constituents want it.

(6) And the bill is passed by both houses of the General Assembly.

Although Representative Post was unsuccessful in gaining passage of his "bottle bill" in 1977, his bill came so close to passage that the feasibility of the "Post method" is worth considering.

Democratic General Counsel Howard Klebanoff agrees with Representative Post that "law making" is one of the three ("representation," "law making," and "legislative oversight") essential "primary responsibilities" of every legislator. Attorney Klebanoff observes that most legislators base their self-evaluations "upon what legislation they have introduced and whether or not it was enacted." But attorney Klebanoff is critical of this practice because "it breeds a feeling that laws are self-fulfilling." Therefore, rather than recommending that legislators follow the example of Representative Post, General Counsel Klebanoff suggests that they devote more attention to legislative oversight.

Attorney Klebanoff says, "One solution which has been suggested is that each legislature should introduce one bill which would state that no new laws would be passed until it could be discovered whether the old laws were working." To illustrate this alternative to the "Post method," he uses the approach of the 1976 Joint Committee on Education, which he chaired. With the assistance of the Eagleton Institute of Politics and the Program Review Committee of the General Assembly, the members of the Education Committee were "able to do extensive research and make sweeping changes in the areas of special education, state aid for the disadvantaged, and financial aid." Therefore, rather than going outside the legislature to interest groups, such as the Connecticut Citizen Action Group, attorney Klebanoff recommends that legislators become more diligent as committee members, devoting particular attention to the mastery of the established procedures of the General Assembly, which include the rare use of straight partisan politics.

To what extent should the public be able to observe the activities of their legislators? CCAG's Marc Caplan is convinced that there is an ever present need "to let state officials know that somebody is looking over their shoulders." He is proud of the influence his organization exercised in the passage of the Freedom of Information Act or "Sunshine Law" in 1975. To encourage greater citizen involvement in legislative affairs, he recommends that the Connecticut Constitution be amended to create procedures for initiative and referendum. Were these changes to be ratified, they would greatly facilitate the approaches of Representative Post and Marc Caplan. But **New York Times** reporter Lawrence Fellows is skeptical of these recommendations for more "open government."

Reporter Fellows takes issue with his colleagues of the media who have joined CCAG in their fight to open the party caucuses for public inspection. Fellows says, "All that is accomplished by opening the caucus is to drive the politicians back to the next line of trenches." The press, according to Fellows, should recognize that legislators need privacy "to sort out in private what they are going to say and how they are going to vote before they get out onto the floor of the House or Senate, in front of the press and public and the other party." If the press and CCAG are successful in opening the party caucuses as they have the committee meetings, then legislators will transfer the formal caucus to the informal lunch or the phone, making it more rather than less difficult for reporters to accurately describe legislative activity.

One of the clearest issues upon which there is disagreement is the party platform. Although Democratic Chairman O'Neill and Republican Minority Leader Stevens agree that the party caucus is an essential procedure in developing majority and minority positions on such partisan issues as the budget, they are in sharp disagreement on the need for a party platform. Chairman O'Neill sees two main justifications for party platform — substance, and procedure.

On the first point, he says, "The platform is an honest effort by the Democratic party to make clear priorities and goals for governmental policy." Equally important is the process by which these priorities and goals are developed. It is important that those who contribute to the platform be large in number, representative from a broad spectrum of the population, and reside in all Connecticut's congressional districts. Finally, to gain full legitimacy, the platform must go through the steps of being officially adopted at the state convention. It then becomes a basis for developing party unity in the state legislature. Chairman O'Neill is proud of the fact that "approximately 70 percent of the 1974 Democratic state platform was implemented into law during the 1975 and 1976 sessions of the General Assembly."

Minority Leader Stevens expresses the position of the state Republican party when he says, "I feel that the party platform is going the way of the Edsel. Platforms, in my opinion, are things of the past, and that is good." In 1976 the state Republican party made a decision not to have a platform.

According to Representative Stevens, the reasons for this decision include the belief that the platform is more a liability than an asset. It raises the false hopes of voters. Few elected officials take the planks of the platform seriously. It "prohibits the candidates from taking legitimate and realistic stands on the key issues that affect people's lives." While Chairman O'Neill believes the platform encourages discussion of political issues, Representative Stevens asserts a contrasting point of view.

Although our authors have discussed many aspects of the substance, politics, and procedures of the Connecticut General Assembly, enduring questions still remain. Connecticut has been moving towards full adoption of the "Madisonian formula," which calls for separation of powers and three coequal branches of government, but our authors have not made convincing arguments that the federal model is the one best suited for state government. If Connecticut wants to continue its adoption of the federal model, it will have to change the State Constitution so that the dates for opening and closing the legislative session are left to the discretion of the legislators. To get real separation of power, the governor or the General Assembly should move out of the Capitol to provide physical separation between the executive and legislative. Legislators should become full time representatives and be paid full time salaries. Offices and staff should be provided in **both** home districts and the state Capitol, although staff facilities in the home district may be the higher priority. To provide greater political stability in the General Assembly, the constitution would have to be amended to provide longer and staggered terms for senators. Such a change would cut the power and influence of the governor, who heads the party ticket every four years when all members of the legislature stand for election.

Connecticut adopted responsible two-party government a quarter-century ago more by accident than design. Although there is substantial evidence that party government is withering, legislative leaders in both parties assert that party organizations are essential and benefit the public by providing alternative candidates and policy options. If the political party really is essential at the state level, then it should be treated as a "public institution" in the fullest sense. This means that party headquarters should be supported by public funds and receive annual appropriations in the state budget, just like other state agencies. The party chairman should be selected on the basis of merit and paid a salary that will attract candidates with executive qualifications and experience. There should be no need for the party chairman to support himself by serving as a state legislator.

Staff positions within party headquarters should be defined and filled on the basis of professional qualifications and merit. The development of a career field within party management should be encouraged. And career development between the party headquarters of smaller and larger states should be encouraged. Similarly, the most talented party managers should

seek appointment to positions within the national party headquarters. However, if parties are not essential, then we should probably move in the other direction and develop other alternatives for recruiting candidates, running campaigns, and forming majority and minority positions on legislative issues.

One of the unresolved issues which our authors have failed to fully address is the proper role of the governor as party leader, chief executive, and legislative leader. In recent years, governors have used a variety of functional models to deal with the General Assembly — executive-dominated, party elite, and coequal branches of government. However, during the 1977 legislative session a governmental reorganization bill was passed that greatly increased the power and influence of the office of governor. All appointments by the governor are now coterminous, an arrangement which greatly enhances the position of the governor as party leader. More than 250 commissions, boards, and agencies were consolidated into 22 major departments. The need for an effective chief executive with management ability is evident. Also, there is a real possibility that great political power will be held by the heads of these major departments. As the power of the governor's office is increased relative to the power of the General Assembly, the governor is expected to play an even greater role in policy initiation within the General Assembly. Since the governor's budget is the main vehicle for articulating goals, priorities, and objectives, then perhaps consideration should be given to consolidation of the Appropriations and Finance Committees, which became a target for capture by a bipartisan coalition in 1977.

If members of the General Assembly are really serious about enhancing the visibility of the General Assembly, then they must take specific steps to achieve this objective. First, the proposal for public-funded district offices should be considered. Next, legislators should appropriate funds to support expert testimony at legislative hearings rather than give control of these hearings to representatives of interest groups. Legislators should also play more active roles in questioning those who do testify, thereby getting much of the publicity that falls to the governor. Finally, there is a great void in state educational requirements for the study of state and local institutions in Connecticut. Consequently, there are few incentives for authors to prepare instructional materials in this area of study. Perhaps state legislators should begin by developing policy guidelines for the State Department of Education to encourage the study of state government. On the other hand, such a step might encourage high school students as well as reporters and staff members from CCAG "to look over the shoulders of elected officials."